

Civil Defense Agency, Office of the County Attorney, Office of the Prosecuting Attorney, and Agency on Elderly Affairs

Honorable Mason K. Chock
Honorable Gary L. Hooser
Honorable KipuKai Kualii
Honorable Mel Rapozo
Honorable JoAnn A. Yukimura
Honorable Arryl Kaneshiro

Excused: Honorable Ross Kagawa

The Committee reconvened on April 8, 2016 at 9:03 a.m., and proceeded as follows:

Committee Chair Kaneshiro: Good morning. I would like to call back to order the Budget and Finance Committee and the Fiscal Year 2016-2017 Departmental Budget reviews. On the schedule for today, we will be hearing from Civil Defense, Office of the County Attorney, Office of the Prosecuting Attorney, and Agency on Elderly Affairs. As we do each morning we will take public testimony. Anyone in the audience wishing to testify? Seeing none, I am going suspend the rules, and we will have Elton come up and give us a brief description on Civil Defense.

ELTON S. USHIO, Emergency Management Administrator: *Aloha* and good morning. Elton Ushio, Emergency Management Administrator. This morning I wanted to give you a, hopefully somewhat brief overview of some of our accomplishments in the current fiscal year, and some of these initiatives tie in to our 2017 goals and objectives as well, and this is to supplement what you have already received through the Administration as far as our 2017 budget presentation. If we could turn on the slides I will briefly go through these. So the first slide in 2015 the central pacific hurricane season kicked off our fiscal year with a bang, or I would say with a lot of bangs because we ended up having the most active tropical cyclone season on record, with 15 named-storms. Is it possible to advance the slides? Oh right here. So what you can see here is a bar graph indicating number of named storms from 1970 to last tropical cyclone season and the path of the storm and relatively intensities. One of our colleagues NOAA, Kevin Kodama produces that graphic on the bottom, illustrating all the storms at various intensities and where they were or went in relation to Hawai'i. We got really lucky last year, nothing directly impacted us although we had impacts of high surf and some rain. Now this posed challenges to our agency, that we did go through hurricane season with just four staff this year, due to retirement, vacancies, and we hope to rectify that by hurricane season this year, but even when the storms do not directly impact us it causes to us go into intense operations where we do daily video teleconference briefings so we ended up doing about 28 of those, maybe 30 days of enhanced operations, longer hours. I think our longest contiguous period staffing was 20 straight days. We are able to complete a carryover project from the prior fiscal year into this fiscal year, and that is the completion of our multi hazard mitigation and resilient plan to meet the FEMA requirements. So this was approved by FEMA in August. So we are glad that we got that accomplished, which will cover us for the next five years. We have done various enhancements for public information on our website. For example, with public demand for wanting to plan evacuations, where they need to go for sheltering, we created an interactive page, where people can log-in and check

on shelter status and for planning purposes get a potential shelter. I say potential because we tell the public that they have to wait until we actually announce them. Because we have to coordinate with the American Red Cross for staffing, Humane Society if we are going to do pets, Department of Education, Parks and Recreation, whoever the facility owner may be before we open the shelter. So we have that interactive tool. With the Dengue and Zika concerns we have updated our website with direct links and information on those diseases. The final thing I have up there interactive tsunami map links to the NOAA, which we will updating this month with new layers which I will talk about that shortly. We have continued to work on improvements in our operation, as far as emergency operations center structure. So what you see here was initially developed in FY 15. It is a chart that shows seating in our EOC by the sections according to the national incident management system, but we have integrated emergency support functions. So there is a logical order where people sit and what people do. So they are ordered so that say a subject-matter challenge comes into the EOC, and we are not looking for an individual necessarily, but a team, a branch within operations, planning, finance, et cetera. We have had a very robust all hazards training and exercise program in our original submittal to you folks we attached a spreadsheet showing all of the different training and exercises we are involved with. So this is just a few. We brought in senior official workshop. Tsunami awareness. We are setting up redundant or interop operable communications repeaters out there, on the north shore, working with fire, police and even our incident management people in the EOC. Community outreach and education is very important to us. So just a few examples here: presentation to the Hanapēpē/Ēleʻele Community Association. We work with Sue Kanoho, George Costa, and the American Red Cross in meeting with the hotel industry so we have a different major lodging managers. We were giving them a briefing on how we operate, how we coordinate public notification, evacuation and sheltering. And of course a very popular program the Community Emergency Response Team, which we fund with grant funding and Kauaʻi Fire Department actually implements using their staff, trainers and county funding. So a couple graduations there of two groups on the north shore. We are very popular with students. So a lot of elementary school students come to our EOC where we give them a quick overview on disaster awareness and preparedness. We also do outreach directly to students. Next week, for example, we will be going out to PMRF to do presentations for 300 middle school students and teachers. Our siren modernization project we completed phase 2 with nine additional sirens last year. Bringing our total to, I believe 54 on the island. In the coming fiscal year we are anticipating 13 plus additional sirens. So County of Kauaʻi thanks to the cooperation of our people at Planning and Building, County Attorney's Office, we are able to very quickly execute our agreements for access to county-owned or managed sites, to address permitting questions and issues. So we completed phase 1 right away. Phase 2 right away. So we are going to be the first county to commence phase 3 so that will bring additional sirens to various place as round the island, where we currently do not have coverage or we will be replacing really old sirens. There is no end to the things we do it seems like, but another area we works on successfully was coordinating with the U.S. Army Corps of Engineers. They had come in 2006 to assess critical sites on Kauaʻi for generator hook-ups. Whether or not they have a current generator get the power requirements, where the generator should be staged, fuel, et cetera, so in the event that major disasters occurred it is easy to deploy generators there. These are some examples that they did in 2015. They did a few in 2014 before they pulled

out for Hurricane Iselle on the Big Island. We completed a lot more in 2015. Kapa'a Fire Station, Kaua'i Veterans Memorial Hospital. There is a waste water pump station there. We even did drinking water and Police Substation. This particular building in fact was assessed in 2014. In the remainder of the current fiscal year we will do additional sites during the month of May. We have already reached out to all of our stakeholders with critical resource infrastructure and key resources. Very important facilities for additional assessments. 2016 tsunami evacuation zone updates. This is a big one. April is tsunami awareness month and we are planning to release these newly updated maps to the public. The Mayor has already reviewed and approved these maps. We are currently waiting on our partners at NOAA to update their website or get their website, their Interactive Tsunami Website ready to go live, at which time we will do the public press release and make our site live. Should NOAA experience undue delays then we are prepared to make our own mapping tool on the county website and have that go live. These updated maps basically are due to concerns from the Japanese Tohoku Tsunami where despite their very robust planning, tsunami walls and everything, earthquake that exceeded their threshold that caused devastation in Japan. That caused tsunami scientists in Hawai'i to study what is the more realistic worst case scenario. Well like 2014 updates were really good they found a potential area in Aleutians that could cause waves larger than what we plan for and you have seen some of that in the press recently. So we went ahead and created a second tier zone for extreme tsunamis this is consistent with the City and County of Honolulu's updated maps they released last year and it will also be consistent with what Maui is going to be releasing this month. So we have already transmitted the GIS files to the phone book publishing companies. And we will be going live this month. Now we always have unexpected activations taking place. That is just part of the nature of our work. Here we have a few illustrations. Some ICS forms supporting for flash flood warning activations. Some more memorable damages such as the devastation to the Polihale access road, Smith Boats getting washed up on the marina and Waimea Theater being flooded. We did have a tsunami scare during the year with the Chilean event, although it did not result in a watch or warning. We had an advisory issued. You can see the energy vector in the picture there, where the wave energy went. Continuing ongoing threats, mosquito-borne disease. The County of Kaua'i was very proactive in that we issued a local press release soon after the outbreak started on the Big Island and since then have regularly provided updates to the public through press releases, updates to our website. Closely partnering with the Department of Health, so the photo you see there is the Mayor, Dr. Bal and I in a joint press release in response to the Governor's emergency Proclamation. We had the "fight the bite" poster and we convened our Hazard's Incident Management Team to develop a template framework, it says incident action plan blank because we have not met the trigger of a locally-acquired case yet, but have the framework and mechanisms in place to respond, and it is in some ways already been tested with that single travel related Zika case that landed on Kaua'i. This was not in our prior submittal, but just to give all the Councilmembers a better feel and the viewing public and those in the room about what we do. I am just putting up a slide showing the national preparedness goal of a secure and resilient the nation with the capabilities required across the community to prevent and protect and mitigate and recover from the threats and hazards that pose the greatest risks. What do we do? That boils down to a whole lot of different potential core capabilities and emergency support functions that you see there. We are not the lead in all of these, but

when the incident gets bad enough, we coordinate them. We might be the lead or we support the lead agency. So that is just part of what we do. We did submit information on vacant positions, via the Administration. Just for your reference, I believe the current official org chart has been transmitted, which you see on the upper part of the screen here. And our current interim operating structure is inserted here just for reference with the grant-funded vacant positions indicated in red. That is what I have for you there. I brought our Grant Coordinator and our Telecom Officer to address questions regarding 2017 budget. I wanted to keep this part brief. So we are here to entertain your questions.

Committee Chair Kaneshiro: Thank you for that. Do we have any questions on the presentation? Councilmember Chock.

Councilmember Chock: Good morning Elton thanks for the presentation. You talked about the CERT team, and in our discussions with the Fire Department, we did talk about some of their outreach to the community, education, and prevention. And our interest in wanting to limit overtime as a potential way to do so? Maybe to a need to enlist CERT members as volunteers (inaudible). I just was not sure what the oversight was between the two agencies, but wanted to hear from your perspective, if that is even where the direction that CERT would be best utilized or not?

Mr. Ushio: I will call up our Grant Coordinator to support me in this discussion. Chelsie. So my understanding of the CERT Program, it serves several purposes. One, it prepares that individual and his or her family in ways so that they will be better informed, and trained in various areas related to emergency response. Also, they are not intended to replace first-responders, but rather augment when resources are low or overtaxed or overwhelmed like after a major disaster we do not have enough Police Officers to staff the roadblocks or to direct traffic, they are trained to do that. In fact they spend a day with the Police or they will have sessions with them how to direct traffic. Trained in light search-and-rescue they can assist with damage assessment, et cetera. As far as using CERT to reduce overtime, you know, I would have to defer to Human Resources on the legality of the H.R.S. aspects, but I know the intent of the program was to supplement and to help the communities themselves be better prepared. Anything else, Chelsie?

Councilmember Chock: And again, this is not to supplant operations, but certainly outreach to the community where we are doing some of the community events and going to the schools (inaudible).

Mr. Ushio: That is a possible use. So you wanted information on the breakdown how we manage the program. Chelsie manages the homeland security funding and does the reporting, makes sure we are compliant. Fire actually implements the program. So they arrange the classes and provide the trainers and actually do all of that. Anything else?

Councilmember Chock: I will come up with another question for Chelsie.

Mr. Ushio: I am sure there will be something.

Committee Chair Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: Good morning. Thank you very much for a very comprehensive overview. It is very reassuring to me to hear this kind of presentation.

Mr. Ushio: Thank you.

Councilmember Yukimura: Because if there is any department you want to be well-organized and well-planned, it is Civil Defense, and you are doing a great job. I want to say that I guess I have the privilege of a pretty long oversight of many years, and the increase in professionalism, and careful planning in Civil Defense is really exponential. So thank you. I am so glad that you covered the Zika and Dengue Fever issues, because that has actually been haunting me. Because it would have huge impacts on our economy, as well as on our well-being. And I am a little concerned that we are mainly doing response rather than prevention. And I wondered what are our options for prevention?

Mr. Ushio: I apologize if I did not illustrate that well enough in the slide. There is a considerable amount of preventative efforts going out in the form of community education, primarily. Department of Health has their education people who are actively promoting the "fight the bite" campaign. County has pushed that a number of times and that is on our website. We quite regularly have tried to put out information to the general public. Moreover though, the Department of Health Kaua'i District Health Office has staff on-site that are able to a certain degree augment I mean not augment, but go out and address public concerns about mosquito-breeding areas and do a quick assessment and there are various options that they can do to address them. So as far as preventative measures, they can treat with soap water and the other...if they want to spray and things like that. But that is not really my area as far as actions that they are doing there, but they have that ability, in fact when the Zika case broke here, they recalled the sprayers the mist sprayers that had been sent to augment Hawai'i County's response especially with dengue slowing down there. So we have them all back here, and there has been action in the State Legislature to fund positions under vector control that were previously cut. Another preventative measure that we have undertaken is the distributor of OFF! products in Hawai'i had an overstock because of extreme demand on the Big Island. They brought in way too much and they were going to ship it back to the west coast and with Dengue and Zika looming, should there be an outbreak in the country all of the resources go there, we did not want to be cut short so with the assistance of the Hawai'i Emergency Management Agency all county emergency management Civil Defense Agency were given the option of purchasing from the distributor directly. So we coordinated with all county departments by E-mail and we will be ordering about \$9,400 worth of OFF! products for county fieldworkers to be using for prevention of mosquito bites.

Councilmember Yukimura: That is all very proactive and I am glad it is happening. I had some European guests stay with me recently and they talked about a heat detector they had to go through in Hong Kong. And I guess if there is indication of high fever, people are actually pulled aside and I am not sure what the protocol is, but it is an effort to stop people who are infected from coming into the place that is not yet infected.

Mr. Ushio: I am familiar with that technology. I am not much of a world traveler, but I have gone to different countries for Kendal competition and when we did go to Hong Kong when the team went we did have to go through the detectors. The problem with Dengue and Zika from my understanding from the health care professionals is that I think there is even a very significant number that do not show signs. You could be infected, but not even have any symptoms and that is why it is so dangerous. If you are just screening for high temperature, it could pretty much be anything. So I am not...we have not researched the technology or cost of purchasing, but I do know it exists, and if you would like, I can discuss it with our Department of Health people.

Councilmember Yukimura: Yes, because I know we are all relieved that the one (1) Zika-infected person on Kaua'i is past the infectious stage, and hopefully this will not spread but tomorrow somebody could come and with the Olympic Games in Brazil, you know, I am just thinking once you are past the critical mass point, how you stop it, I do not know. That is where Brazil is right now, and I am just thinking about protection of people are, the women who are pregnant, you know? It is so huge an impact; that if we can research it, and I do not know whether there are other detection measures, but I think it is important just because once it gets established, it will be very disastrous for Kaua'i.

Mr. Ushio: I will follow-up on that with some of our health contacts.

Councilmember Yukimura: Okay.

Mr. Ushio: The only other thing as far as surveillance and detection is health long ago has already ... they have already transmitted information to health care providers as far as detecting mosquito-borne illnesses and they do have requirement to report.

Councilmember Yukimura: That is very good. Very good. I am glad that all the measures you have described are being taken, and if there is some preliminary research we can do, it would probably be useful instead of trying to do it while we have infectious people already here.

Committee Chair Kaneshiro: Councilmember Chock.

Councilmember Chock: Regarding the Kaua'i Emergency Operations Plan update, what is the budgetary shortfall or need in order to complete that and how far behind are we?

Mr. Ushio: So the Emergency Operations Plan, I cannot tell you what the exact cost is going to be because it actually goes out to competitive procurement, but based on updates done previously in other jurisdictions I would say \$80,000 to \$100,000. So we have submitted a request under the Emergency Management

Performance Grant, Chelsie has and we have yet to hear whether or not we are going to get funding or partially funded.

Councilmember Chock: When was the last update to that plan?

Mr. Ushio: The last update was 2008.

Councilmember Chock: And it is supposed to be every ...

Mr. Ushio: We do not have a requirement like the mitigation plan, how many years can elapse between updates.

Councilmember Chock: So the budget amount would go out for a consultant to update the plan is that correct?

Mr. Ushio: We will did a competitive procurement for consultant.

Councilmember Chock: Thank you.

Committee Chair Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: I am glad Councilmember Chock asked about this. Did you say it is likely that we will get the funding for this year?

Mr. Ushio: We have not heard back yet. We will get funding under EMPG...it is pretty much a recurring grant, but whether or not they approve the funding for that purpose is the question? So we have yet to hear back.

Councilmember Yukimura: Is this a priority for you? A top priority? Or is it...

Mr. Ushio: It is a high-priority. I would not say it is our top priority because the plan is great to have, provides the framework and guidance for us, but the old plan, it is still useful and where changes have taken place, the multiple partners and stake holders and our staff they are very familiar what we need to do and have their own internal plans and the county EOP is the guiding document for everything, but I would not place that as our highest-priority for this year. Those would be two different things.

Councilmember Yukimura: Thank you.

Committee Chair Kaneshiro: Councilmember Kualii.

Councilmember Kualii: On this guiding document, you said the EOP, so you are going for a grant to get a consultant to help do this plan and if you get the grant

you will do it and if you do not get the grant you will try again next year, is that what you are talking about?

Mr. Ushio: Yes.

Councilmember Kualii: As far as the grants and the positions, on page 9 you provided a consolidated worksheet. You have the federal funds column at the top.

Mr. Ushio: Okay.

Councilmember Kualii: What is EMPG?

Mr. Ushio: That is the Emergency Management Performance Grant. It does not match up exactly with the county's fiscal year cycle. This is a grant, so Chelsie kind of did her best to adjust the federal cycles to the county cycles for the federal grants there.

Councilmember Kualii: So Emergency Management Performance Grant and HSGP?

Mr. Ushio: Homelands Security Grant Program.

Councilmember Kualii: What is the GP for again?

Mr. Ushio: Grant Program. Homeland Security Grant Program and...

Councilmember Kualii: So as far as what your comment about not exactly matching up with the county's cycling, when it the two columns, fiscal year 14 and fiscal year 15. Is that our fiscal year or the Fed's fiscal year and what is that period? And the overlap of these two amounts, \$50,000 and \$46,000, does that combine to pay for what for us? I see it is aligned with the position 9403 Grant Fiscal Specialist.

CHELSIE SAKAI, Grant Coordinator: Grant Coordinator. Fiscal Year 14 funds expire August 31, 2016. Fiscal Year 15 expire August 31, 2018, but we are still going run it on a two-year grant period just to make sure we spend it down faster, so it would be used up until 2017, August 31, 2017. So once the '14 runs out to fund that position, we go to '15 grant funds and '16 when it comes in.

Councilmember Kualii: So that position is continuing, but it is dependent on this funding.

Ms. Sakai: Yes but it is currently vacant.

Councilmember Kualii: It is currently vacant?

Ms. Sakai: Yes.

Councilmember Kualii: So 9403.

Ms. Sakai: Yes.

Councilmember Kualii: So 9021 even though it is also federally-funded showed up on the vacancy report with a effective date of vacancy March 16, 2016. 9403 is not on the vacancy report. Has that been vacant for a while?

Mr. Ushio: I think 9403 was overlooked into the vacancy report. They will subsequently be putting it back in the May submittal, if I am not mistaken. If you look at our line item detail, it is actually in there. So it made it on the finance side, but not the spreadsheet transmitted to Council.

Councilmember Kualii: Where it just has blank and the salary part because it is fully funded by another source, right?

Mr. Ushio: And 9201 that is actually the position number that I was in when I was appointed Civil Defense Manager.

Councilmember Kualii: 9021.

Mr. Ushio: Yes, I apologize 9021.

Councilmember Kualii: Called: Staff Officer.

Mr. Ushio: Yes. So we will be re-specifying that to a lower rating, and going before the Vacancy Review Committee for review and hopeful approval, and we intend to hire at that level.

Councilmember Kualii: And this other position Grant Fiscal Specialist that has been vacant for a while and you are recruiting now?

Mr. Ushio: Yes. It is been vacant for a while.

Councilmember Kualii: And the intent is for both positions to be filled before July 1st.

Mr. Ushio: Yes.

Councilmember Kualii: Okay. Thank you.

Committee Chair Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: When Parks came before us, they indicated that they were struggling between deciding about cell phones and walkie-talkies, and that they had had problems during a recent crisis or emergency response with the cell phones being jammed and too full and I suggested that they talk to you, but that is something that your department can work with in terms -- is that interoperability, or designated channels that do not get filled up?

Mr. Ushio: For that question, I will defer to our telecom officer, David Miyasaki.

Councilmember Yukimura: Okay thank you.

DAVID MIYASAKI, Telecommunications Officer: Hi. David Miyasaki, County Telecom Officer. We are definitely working with Parks.

Councilmember Yukimura: You are already?

Mr. Miyasaki: They already have assigned channels. So I do not understand where the comment came from, but cellphones in emergency because of the lack of priority for public safety, they will get busied out and rendered ineffective.

Councilmember Yukimura: So radios through your system?

Mr. Miyasaki: They are already on the system. So I do not know if they looking to purchase more units and that is why they were asking that question. I am not familiar with that. Yes, they are on the system and using it for communications.

Councilmember Yukimura: I do not know.

Mr. Miyasaki: Maybe I am misunderstanding. Is it the Park Rangers or Parks Department?

Councilmember Yukimura: It is the park workers from what I could understand.

Mr. Miyasaki: Okay only the Park Rangers have radios so maybe I misunderstood the question.

Councilmember Yukimura: Well apparently...and maybe it is not for emergency purposes which would then restrict them from use.

Mr. Miyasaki: Not really, the system has more than enough capacity. It is just that the radio equipment is quite expensive so maybe they that is why there was that consideration.

Councilmember Yukimura: Yes. So they would have to weigh the use and so forth.

Mr. Miyasaki: Right.

Councilmember Yukimura: And then their decision point was cell phone or radios? I mean, it seems that in terms of park emergencies, something happening that needs quick response, that kind of communication would be important. So they have to make those decisions. But it just seemed like whatever they get would also be used in times of emergencies.

Mr. Miyasaki: Correct. I do not know the exact operational question they were asking, but generally if it has to do with public safety, the rationale is to stick with radios because we have the one too many capability and call for help, it goes out to all personnel with a radio, as opposed to cell phones.

Councilmember Yukimura: That is great. Is it such that you can only use the radios during emergencies?

Mr. Miyasaki: No, we do not have any restrictions as far as that is concerned. It is generally for work and county-related operations. But that is about the only restrictions that we have on the radios.

Councilmember Yukimura: Thank you very much.

Committee Chair Kaneshiro: Council Chair Rapozo.

Council Chair Rapozo: I wanted to go back to the structure that you presented in the presentation. I know Councilmember Kualii was asking some questions. I am trying to figure out, we are showing a current official structure which has obviously the Mayor, Civil Defense Manager and other positions and interim operating structure. But Civil Defense Manager is currently in the structure, right?

Mr. Ushio: In the official structure, I call that the official structure because that is the last one that has been signed by all officials. The Civil Defense Manager position, 9021 was the head of the agency until March 16th. Where the new position, the Emergency Management Administrator became the head of the agency. So in compliance with H.R.S. 127a, we had, all jurisdictions had to have a civil service lead of Civil Defense Emergency Management in place by July 1, 2016 and in our effort to do that, HR put out the recruitment. I was one of the applicants and I was fortunate enough to get the position. So that is why we have a vacancy now in 9021.

Council Chair Rapozo: So as we sit here today, do we or do we not have a Civil Defense Manager? Not hired, but under the structure?

Mr. Ushio: The Civil Defense Manager position is no more.
So if you look at the second chart there, org chart.

Council Chair Rapozo: I guess my question is what makes the bottom chart official? What will it take to make the bottom interim operating structure the official structure?

Mr. Ushio: What it will take? I need to go through HR. I want to make sure those two (2) vacant positions are approved by the vacancy review committee and if so, everybody is on-board and I can get it made official.

Council Chair Rapozo: I may be repeating Councilmember Kualii's questions, but, so 9021 and 9043 have long have they been vacant?

Mr. Ushio: 9021 has vacant since...

Council Chair Rapozo: But that yeah okay...

Mr. Ushio: The 16th of March.

Council Chair Rapozo: This past March?

Mr. Ushio: Yeah.

Council Chair Rapozo: And then 9403?

Mr. Ushio: 9403, was that your former slot? Yeah so that has been vacant since October or November of 2014.

Council Chair Rapozo: 2014?

Mr. Ushio: Yes.

Council Chair Rapozo: And we do not have grant funding for that or?

Ms. Sakai: We do. We just have not been able to hire.

Council Chair Rapozo: Have we tried?

Mr. Ushio: Yes. Grant funding exists for it. We have not filled the position. What we wanted to focus on in my discussion with the Administration and HR was resolving the head of agency issue under 127A first before we addressed the support staffing.

Council Chair Rapozo: I mean that was an existing position anyway, right? And since 2014, that is what month in 2014? I guess I am kind of baffled because we

have seen a lot of positions being axed from the Vacancy Review Committee and what I believe are key positions. And are we actively recruiting for this position? Have we recruited since 2014?

Mr. Ushio: No, we have not.

Council Chair Rapozo: Is there a reason we are not?

Mr. Ushio: Again, in our strategy to fill it, we intended to address the 127a issue head of agency first. So that is done.

Council Chair Rapozo: That was done when?

Mr. Ushio: I have actually submitted draft position descriptions for the vacant positions to HR already for review.

Council Chair Rapozo: How long have you been there Elton?

Mr. Ushio: I came on-board as far as the current position?

Council Chair Rapozo: Yes.

Mr. Ushio: March of this year, and in the appointed position February of last year. (Inaudible).

Council Chair Rapozo: What do you mean? You became the head of the department last year?

Mr. Ushio: February of last year.

Council Chair Rapozo: Right. So I guess my concern is why is it taking so long to get this thing done?

Mr. Ushio: Again, our strategy was address the top position first.

Council Chair Rapozo: That was done.

Mr. Ushio: That was just done. It took a while for that to happen. And then so now we are going move on to the next positions.

Council Chair Rapozo: Okay.

Committee Chair Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: So your desire is to move from this old org chart to this one and you are in process right now, since you have really officially been in your position for three weeks. Now you are trying to move towards...you are proposing this to become the official structure right?

Mr. Ushio: Proposing something along those lines at least. Because that is how we have been operating since. And you could not have put the Emergency Manager Position up there until 9021 opened up.

Councilmember Yukimura: Yes.

Mr. Ushio: This would be what we are able to accomplish now after vacancy review and working with HR.

Councilmember Yukimura: You still have to go through vacancy review but you are ending up with six positions instead of seven.

Mr. Ushio: Ah yes.

Councilmember Yukimura: I mean, the official...but somewhat dated organizational chart shows seven and the one you are moving to shows six in Civil Defense.

Mr. Ushio: The difference is position 2501 was the dollar-funded position we had proposed. And that was cut in last year's budget's deliberations.

Councilmember Yukimura: Yeah and I know that in previous years, we have been very concerned that the Civil Defense is kind of top-heavy, and so you are starting to streamline it, and per the mandate from the H.R.S. requirement for civil service, which I think it is very good that somebody with expertise in civil defense becomes the head of civil defense, rather than political appointments. Because I know from personal experience, disastrous. Thank you.

Committee Chair Kaneshiro: Councilmember Kualii.

Councilmember Kualii: So earlier you had kind of said something to the effect of like if HR is on-board, but as far as this reallocation or re-describing of the Civil Defense Manager to state officer, that reallocation has been completed by HR?

Mr. Ushio: I submitted a draft position description for staff officer SR24 based on an existing class that occurs with Hawai'i County, where they have under their Administrator, they have two EM3s overseeing two SR24 Staff Officers, so I based it on that SR24 class.

Councilmember Kualii: As far as you foresee the reallocation will be completed and recruitment will happen and this person hopefully can start July 1st.

Mr. Ushio: I anticipate and hopefully it can be before July 1st.

Councilmember Kualii: The only other thing is that, so when you talked about 9021 and 9043 being vacant and then being subjected to the Vacancy Review Committee. These two positions have federal funds. If either of these positions were eliminated, and I am not saying that they should be, would that federal funds then become available to pay for any other positions? Is that when the vacancy review is considering it or does these two positions because they receive specific federal funds, Emergency Management Performance Grant and Homeland Security Grant program, do they have to work on specific things to deliver on just that federal grant? Or are these federal monies that help us with our general Civil Defense Agency operations?

Mr. Ushio: As far as the second part of that question, Emergency Management Performance Grant supports all aspects of the emergency management, so it could be involved with preparedness aspects, planning, response, recovery, mitigation. Pretty much the entire scope. The homeland security funded position would need to focus on Homeland Security Grant funding support with management of that grant or those funds. Now as far as first portion of our question regarding vacancy review, my understanding is whether it be county-funded or grant funded positions we need to go through vacancy review committee. I would have to defer to the committee as far as the additional.

Councilmember Kualii: Could you give an example of what the limitations are with the Homeland Security part of the funding? As far as not all of your basic operations, you are saying?

Mr. Ushio: So the homeland security-funded position they could help us with grant applications, reporting, procurement-related to the grant, bookkeeping, accounting, fiscal, et cetera. Even supporting things associated or covered under the grant like training and exercises what have you, but that position would not support us with say County fiscal.

Councilmember Kualii: County what?

Mr. Ushio: County fiscal.

Councilmember Kualii: What do you mean by that?

Mr. Ushio: Managing our county accounts, for example.

Councilmember Kualii: So in essence, I know in other non-profits and stuff they get Federal funds and it can pay for percentages of positions based on how much time they allocate to the different parts. Do we do it that way?

Mr. Ushio: That is an option, but we have not considered doing it yet. If we did, we would have to make sure there is a time-study done. Where the employee tracks time spent in various areas based on their funding. I think a well-established model is down to fifteen minute increments.

Councilmember Kualii: I was going to say going forward it might be more efficient and get more bang for our buck that way in utilizing a percentage of the County's fiscal position to do some of the Federal grant work, because you have only so many positions, but the Federal funds could help pay for more than perhaps just these two positions. Thank you.

Mr. Ushio: Thank you.

Committee Chair Kaneshiro: Any further questions for Civil Defense?
Councilmember Yukimura?

Councilmember Yukimura: Yes. You mentioned the sirens and warning system. So all of them are working? We have regular testing of them?

Mr. Ushio: To be honest, we have one siren that is currently out of service. Up at the Wailua Houselots Park. Homesteads Park, I am sorry. That one is slated for complete replacement under Phase 3. That is the first siren on Phase 3 to be done this year.

Councilmember Yukimura: So we have a way of monitoring them? And are responding whenever they show that they are not working. I am sorry, but I am thinking way back when we...not way back, actually within the last ten years, when the sirens were not fixed for years.

Mr. Ushio: Yes, so what we do is, that test that you hear at 11:45 a.m. on the 1st working day of every month, we have community volunteers who will call in or we will call them to verify whether or not they heard the sirens. They are not all volunteers. Some are government offices or businesses. We also use the amateur hand radio network to call in reports of whether or not sirens are sounded. All of that gets put into a report and we forward it to the Administration and our State partners at the Hawai'i Emergency Management Agency because although we operate the system and we partner with them, the State actually owns the sirens. They will schedule technicians who come in and work on the sirens. We do retain a small amount of funding, which you have seen in our County budget. If we have to do emergency repairs between maintenance trips, we are able to address it to a certain degree.

Councilmember Yukimura: You say you added more sites as well? So you are increasing our coverage through sirens and you also have the phone messaging and that sort of thing as well.

Mr. Ushio: Yes, we have the emergency mass notification system by phone, land line, cell phone, text messaging, and E-mail.

Councilmember Yukimura: That is pretty comprehensive and your Phase 3, which congratulations, is being the first county to get into phase 3, is replacing some, as well as adding new ones?

Mr. Ushio: Yes.

Councilmember Yukimura: I have a question about shelters.

Committee Chair Kaneshiro: Councilmember Chock has a question.

Councilmember Chock: Question about the equipment. \$30,000 in equipment this year. I was not clear on what you are purchasing?

Mr. Ushio: What page is that?

Committee Chair Kaneshiro: 185 at the bottom.

Mr. Ushio: Let me check. That was moved from somewhere else. If I am not mistaken, I might need to verify, but if I am not mistaken, equipment we are putting in would have been what...when we met with the Administration, we had asked for additional funds for supporting projects with the 800 megahertz radio system. Not all of it might have been placed in the original line item. Let's see under Repair & Maintenance Equipment item on page 183. I would need to go back and verify. I do not have details in the notes here.

Councilmember Chock: Thank you.

Committee Chair Kaneshiro: We will probably send that question over. If you could just let us know, if it is supposed to be there or just go overlooked? Councilmember Yukimura.

Councilmember Yukimura: Yes. Thank you. On your electricity for the EOC, you are showing a reduction from last year's budget and I assume it is because of electric rates going down.

Mr. Ushio: The Budget Team looked at potential areas of savings based on use to date and that was a consideration that they reduced accordingly and there is a chance that the price of oil goes up and we will need to transfer funding to cover it or ask for more funding. I think it is small enough that we should be able to address it.

Councilmember Yukimura: I recall freezing in your EOC. Have you looked at ways to make the building more energy efficient? Keeping people comfortable, but not spending a lot of money making people cold?

Mr. Ushio: We work very closely with Ben Sullivan, and they have brought in a third-party consultant to come in and inspect not only our portion of the facility, but the whole building. I defer to Ben as far as what kind of energy cost-saving measures they are putting in place. We have been actively working with them on that.

Councilmember Yukimura: So there is an effort and a plan for seeing if there are ways to increase your energy efficiency?

Mr. Ushio: Yes.

Councilmember Yukimura: Where would we find those...what stage, or what timetable is it at?

Mr. Ushio: I could ask Ben Sullivan for more detailed information and to transmit it.

Councilmember Yukimura: Okay. I want to just do a heads-up or red flag to Procurement. These issues could best be addressed in the design and building of any public facility. I am hopeful that we can address through procurement, these issues, so that we do not have to do retrofits. Which is what we are doing right now in Police and Civil Defense. Thank you.

Committee Chair Kaneshiro: Any further questions for Civil Defense?
Councilmember Kualii'i:

Councilmember Kualii'i: I hope this is not something I just missed when you were explaining to Councilmember Chock. What is the difference between R&M Equipment and Equipment? The R&M Equipment line item went up by \$24,000, just a 5% increase and the Equipment item was zero and is now \$30,000. The R&M item, you have a breakdown that shows different things like the Motorola 800 mhz, site repeater, and things like that. As far as the one at the end of the budget, page 185, and then what is the \$30,000 that is just listed as Equipment?

Mr. Ushio: For the \$30,000 one, we will already be getting a follow-up question. So we will address that in writing. David can address the R&M.

Mr. Miyasaki: R&M is the repair and maintenance. It predominantly consists of the radio system. The reason for the increase is that we have a long-term maintenance contract with the vendor and there is a set increase each year. That is the main reason for the increase.

Councilmember Kualii'i: Thank you.

Committee Chair Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: That is for site rents, lease rents?

Mr. Miyasaki: No, that is for the maintenance of the main system.

Councilmember Yukimura: Okay.

Mr. Miyasaki: Lease rents is on a different line.

Councilmember Yukimura: Yes, you are right. Thanks.

Committee Chair Kaneshiro: Any further questions for Civil Defense?

Councilmember Yukimura: I have one more.

Committee Chair Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: I am not sure what our standards are for public shelters, but I know that on the north shore there was a pretty big lack...20 years ago. Is that something we are working on?

Mr. Ushio: So public shelters has been a priority, but also an ongoing challenge. Most recently, we have convened a statewide shelter working group to look at the current facilities and try to come to some kind of agreement on staffing requirements, actual structural requirements, et cetera. There are concerns with the inconsistencies between the different buildings and construction and as you said about the EOC, most of the shelters were selected after the fact, looking at how they were built with minor retrofits here and there, windows that will not shatter, et cetera. We are not going to rebuild the school and community centers and things like that, but we are looking at structural standards statewide. Hopefully at some point getting to where we could even have engineering standards in place. Because at this time, if you note what our county and other jurisdictions put out on the website, we say they may provide enhanced protection from tropical cyclones versus a single-wall construction home, but we are not saying that they are certified to withstand category 4, et cetera. That is a big area of concern that we have been working on statewide. And as we can find suitable facilities, designate them, we are doing our best to do so.

Councilmember Yukimura: So it makes sense when we build schools that the large areas like cafeterias or auditoriums would be built to address those standards, so they can double as emergency shelters in time of hurricanes?

Mr. Ushio: It makes sense, but right now we do not have anything on the books that requires that. I helped the Hawai'i Emergency Management Agency with research and I found something where our predecessors when they had built

Chiefess Kamakahahei Middle School, part of the proposal was to build it to shelter standards, but that would have added \$500,000, if I recall correctly to the price and I think they decided no, they are not going to do it and there was no legal requirement to do so and they just built it as they did.

Councilmember Yukimura: \$500,000 is cheap compared to building a separate structure for a shelter, right? But unless you factor it in, I mean, use grant moneys or something, the whole momentum is to not do it because DOE has to look so carefully at their bottom-line. Thank you for that research. It would be kind of mind-boggling good to think multi-purpose in the building of our public structures because that could save a lot of lives. Thank you.

Committee Chair Kaneshiro: Any further questions for Civil Defense? If not, thank you. And thanks for all of your answers. B.C., we will take a quick 5-minute break just to let the Office of the County Attorney come in. We will do the 10-minute caption then.

There being no objections the Committee recessed at 10:04 a.m.

The Committee was called back to order at 10:16 a.m. and proceeded as follows:

Committee Chair Kaneshiro: Welcome back. Next up we have the Office of the County Attorney. Mauna Kea, do you have a brief presentation for us?

MAUNA KEA TRASK, County Attorney: I do. Thank you. *Aloha* honorable Chair of the Budget Committee and Members, for the record, Mauna Kea Trask. With me is First Deputy Matthew Bracken. Our PowerPoint presentation is based off our written 2017 budget presentation submittal. This is intended only as an overview of our performance the past year and where we want to go in the coming fiscal. I know you will have questions after the presentation and of course, we welcome them. So as stated in our budget presentation submittal, our vision...value statement at the County Attorney's is *Kulia i ka nu'u*, as articulated by Queen Kapi'olani Napelakapuokaka'e and it means to strive for the highest or to reach for the summit. We really think that it could not have been said better. In these times of tight budgets and increased needs of the public, this is how we believe our Office should hold and conduct itself going forward in order to best serve the community. Our mission is really just per the law, to diligently render proficient legal services ethically and honorably and to act as an advisor and advocate to the various County entities which comprises the County of Kaua'i on behalf of the corporate body politic, which is the people.

Our mission is to fulfill our Chartered duty under section 8.04 and act as an advisor, advocate, negotiator, intermediary and evaluator, both within the County, and between the County and the world at-large. So our Fiscal Year 2016 goals and realizations... as you know our budget and goals last year were very bold. We cut the special counsel budget over 100-200%, I forget, but it was a lot. We wanted to decrease our reliance on the use of special counsel. As you know, it became a part of the culture of the County Attorney's Office to utilize and depend on outside legal counsel largely from O'ahu to deal with the day-to-day

litigation needs and everything else. In order to effectuate that, we divided the Office into two divisions: advice and counsel, and litigation. And it actually worked. We are very happy for that. Our goal is to allow each Deputy to attend one specialized training program and we have done that as well and looked for trainings not only off-island, but also on-island and, in fact this past week there was a presentation on Hawai'i land law and history, zoning and land use, which is the County's number one duty and responsibility. Also looked for education opportunities for the public in the form of legal information pieces. Again, last week, with the assistance and permission of both Chair of the Intergovernmental Relations Committee, Councilmember Kualii and Council Chair Rapozo, we were able to do our presentation to the public on the State of Hawai'i Judiciary's new Environmental Court program which we thought were really positive.

Our realizations, we realized a substantial reduction of the County's dependence on special counsel. We were able to make the special counsel budget work for this past fiscal year. We are still under-budget and it looks like we will not exceed that as of yet, or at the end of the fiscal year. We did send attorneys to training and presented on the information to the public to educate the public and have a more sophisticated community.

Specific successes and achievements. These kind of are redundant. We do not have projects in the County Attorney's Office. We are a service department and we can really act as much like a diagnostic tool for the County. If the County is exercising well-reasoned decisions, exercising restraint, and paddling together, so to speak, our Office does really well. When there is a lot of infighting and other matters, it becomes difficult and sometimes unmanageable. There are a couple of things that I want to focus on as that is the second line, the delinquent accounts receivables and collections. We said this for the past couple of months and we said it was approximately \$115,000. This was a result of the division of the Office and allowing for specific deputies to focus on collections cases. We began with the most outstanding and the larger amounts and we were able to and we have been talking about the number \$115,000 for the past couple of months, but I would like to update this and recently within the past month, we have already secured approximately \$90,000 in negotiated settlement payments or fee payments. Recently we had a bankruptcy that we were notified and actually participated in and we were able to secure the County's lien for another \$90,000 and we recently settled a tax appeal case pending for six years, in which the County was able to realize above the 50% owed to the County, an additional \$250,000 that is going to be realized in the General Fund and should be indicated in the CAFR at the end of the calendar year. So depending on how you look at it, you could say that delinquent accounts receivables and accounts receivable collections is approximately \$545,000. So there is definitely a value to increasing the training opportunities and supporting in-house deputies that support our departments and moneys owed to the County that does not go to the County Attorney's Office, but goes to the General Fund. So we are very proud of that.

Again continuing our legal advice and assisting HR. A lot of these our advice and counsel initiatives, well-reasoned advice not only saves time and money and you make the right decisions and everyone is happy to work in the County, but also you avoid expensive litigation and poor policy decisions later. One of the things we are able to do, the second to

the last line, recently worked together for a couple of days, solely on creating a County Attorney's standardized manual. When I started in this Office about six years ago, there was no manual in the County Attorney's Office to tell you just basic brick-and-mortar what you do and why you do it. So we had thought the goal for this Administration is to create that. So the next County Attorney, next deputy county attorneys, they can get their bearings much more quickly than it took us and to the benefit of the County, to increase institutional knowledge, which is a big thing.

Fiscal Year 2016 challenges, again just programmatic realities. In this time of cutting...not just cutting budgets, but more focused spending and responsible spending, of course you have to manage our expectations. Abraham Lincoln said it best when he said a lawyer's time and advice is his stock and trade and irrespective how much you are paid, there is only 24 hours in day, 7 days in a week and that is really what limited us ultimately. We cannot do everything. With the current resources that the County has in order to best utilize legal services to be strategic in how you use the Office. We cannot provide advice on legal matters or respond to general non-specific legal inquiries not because we do not want to, but in order to best manage and marshal our time, we need to focus on important things that need to be done and that touches on time management and of course training, resources, and materials. In order to provide an excellent degree of service and keeping special counsel costs down, we need to focus on training our office attorneys and staff and providing them with the proper tools. You are legislators, the law is dynamic and changes day-to-day, week-to-week, year-to-year and we need to keep up on those developments especially when you look at national trends regarding especially civil rights issues that you have seen, homelessness, gender and sexual orientation, discrimination, public safety, all of these matters. We need to understand what they are because we cannot just keep doing what has always been done. So our Fiscal Year 2017 goals and objectives are to continue to provide timely competent legal advice to the entire County. Specific objectives, implementation of case management software. We are in the process of procuring that right now to treat the County Attorney's Office more like a private small firm, which is a (inaudible). I have gone to...we are looking right now at competitive case management software that will help both in-house processing and tracking of statistics and legal services, as well as litigation materials and cases. Going to the law library and thanks to Rhonda Texeira, the librarian to allow us to borrow manuals and utilize those for free in order to best improve our organization at no cost. Objectives continue to train utilize document generation software to increase office sufficiency. (Inaudible) and want to use the most up-to-date and efficient forms and then again expand and maximize effective collection strategy. If we can continue to pull in money for the County and support our departments doing that, that will benefit and make your job easier and the Administration's job easier and ultimately providing services to the community. Performance measures, we filled all attorney and non-attorney positions in the Office and we did go out to advertise and we will welcome resumes from D.C. to Samoa. Although we are not able to hire everybody we really believe we have got the most excellent talent both at the attorney and staff-level. New-hires have brought refreshing energy and perspective to our Office and one new-hire actually was a law clerk in the San Diego City Attorney's Office and she is great and actually enjoys putting policies and procedures together and bringing new perspectives which compliments the institutional member we had from our

excellent clerks from Kaua'i; who are aware of how the County works and what best fits the County Attorney's Office. Special counsel use has significantly decreased, again. Which not only is a fiscal benefit, but also benefits deputies who come to the County Attorney's Office for experience. The reason why I went out of law school and immediately into a government job is because I knew I would get kind of thrown to the wolves and I wanted that. You can immediately go to court at the County Attorney's Office and write briefs you do not have to track because there are no partners to track. So we all work together and do the best we can. The unsung hero of this whole structure is the advice and counsel. The vision...if they do their job right, you do not see cases. If they do their job right, there is no wins or there is no losses because there is nothing and they are doing great and I would like to thank them because they are the unsung heroes of (inaudible) and they do...I mean when you got 34 different departments and commissions and approximately a thousand employees and they push the contracts, they process all the questions, they write the lion's shares of opinion that you do not see. We really depend on them and their expertise. These are statistics. They are there. I am not going to go over them, but it just shows you that we are working very hard. This goes over 2014 and our cases. As you know, generally we have more pending cases now. We are filing more cases from the collections et cetera and we are processing them as efficiently as we can. Illustrative pie chart of the budget overview. It illustrates what was articulated more specifically in our budget worksheet. And again, in closing up, our vision is to continue rendering excellent, comprehensive legal services under the guidance of the Hawai'i Rules of Professional Conduct, 2.1 comprehensive legal services. We want to increase the community's confidence in the County Attorney's Office advice and services and be accessible and informative as allowed under law. Provide accurate legal information and legal institutions and this is per the Hawai'i Rules of Professional Conduct in a democracy really depends on popular participation and support to maintain their authority. That is really the thrust and goal of the legal information program, and again, it is through cooperation rather than conflict that your greatest successes will be derived. I paddle canoe and that is my favorite metaphor and I think going together is the best way to go. Thank you very much. If you have any questions, I would be happy to answer them.

Committee Chair Kaneshiro: Thank you. Any questions from the Members? I have a question, and I will go straight into the line item. Consultant services went up to \$450,000, and in it, the description I read was...why such a large increase?

Mr. Trask: Thank you for that question. If you look and to refer on page 8-9 of our written budget submittal discuss this. We did have a major budgetary increase in the consultant services line. As you know this is the budget overall is the Mayor's Budget. We give our *mana'o* and then we enter into dialogue and then what is submitted, submitted. Administration found this relates to the...I am sorry.

Committee Chair Kaneshiro: Sorry I had it written down. It was for RFP for waste-to-energy facility services for specialized legal services.

Mr. Trask: Correct.

Committee Chair Kaneshiro: My question was, why is that in your budget and not in Solid Waste's budget?

Mr. Trask: I think it is because the Administration thought that is where it belonged. We had discussions with them as well. When I familiarized myself with this concept of legal consultant services I learned that other departments have them. It was utilized in Boards and Commissions before, and I think Planning had it. I am not sure. My understanding in speaking with them, it would be, it may be...I am not going to say will not but it may be in the May 8th amended submittal and maybe placed into Public Works Budget. And so again that is my understanding and it is for a specific scope of services for that potential project which would be beyond our capacity to do.

Committee Chair Kaneshiro: Yeah and I think that was my initial thought, too. I mean, it is a contract that they go out for attorneys to figure out this RFP, why does have it having to do with your office? Your services come free to the county so there should not be a contracted amount in here for Solid Waste doing something that they need a legal opinion on. Councilmember Yukimura.

Councilmember Yukimura: I mean, that sounds like special counsel.

Mr. Trask: Yes. It was...those are the kind of questions I had. I had never seen that before, but in speaking with it, and I think that Public Works and Finance are in a better position to specifically articulate these things to you, but based upon their explanation to me, which I am not able to reiterate today, I think it would be more appropriate in Public Works' budget.

Committee Chair Kaneshiro: Council Chair Rapozo.

Council Chair Rapozo: Just a follow-up. It is for special counsel, right?

Mr. Trask: My understanding is that when other departments...

Council Chair Rapozo: I see Nadine is coming up. I do not know if they are going to come up and explain.

Mr. Trask: When they have used legal consultants in the past it has been done when it did not go through special counsel.

Council Chair Rapozo: Okay, this does not necessarily mean it will be attorneys?

Mr. Trask: My understanding is it will be.

Council Chair Rapozo: Yeah because I am reading an RFP Technical Assistance, legal.

Mr. Trask: Correct.

Council Chair Rapozo: Which means it would go out to special counsel.

Mr. Trask: That was my question. I think Nadine can speak to it.

Council Chair Rapozo: I mean if it is going to...

NADINE K. NAKAMURA, Managing Director: Nadine Nakamura, Managing Director. Good morning. Yes, this is a big increase to the County Attorney's budget and it is there for a very specific purpose, and that is that we are in the process now with the stage 1 RFP on the Solid Waste solution for Kaua'i, and these funds are to help with the stage 2 process, which would be...which would take place this coming fiscal year. The funds are specifically to have the...to retain special counsel to assist the division of Solid Waste in securing the documents and helping through the stage 2 procurement process. So that may end up in a contract that will be very specialized in this field and the County Attorneys would need it have some assistance with.

Council Chair Rapozo: Would it not be practical to put that under the "Special Counsel" line?

Ms. Nakamura: It could.

Council Chair Rapozo: I feel sorry for Mauna Kea, because he worked so hard to drop the special counsel from \$800,000 to \$300,000 and whack, we give you another expenditure of \$450,000. But I am just looking Special Counsel if this is the intent, if the intent is to go out and we know we are going hire special counsel. We not going hire a consultant that ... It is going to be for Special Counsel meaning that you have to come to this body and get approval, and in my opinion, that is where it should be. If you are going to go out to find a consultant in making an RFP, you do not need five votes on the Council for a consultant, but you do for Special Counsel.

Mr. Trask: And again, I think we you may want to revisit this more specifically at the amended submittal. My understanding is that because it is so specialized and because there is historical precedence for this to go legal consultant, as opposed to as you know special counsel. You know Special Counsel is a General Fund that can go to any and everything. Because this is so specific to a specific project, it could be legal consultant, and that is as good as I can say today.

Council Chair Rapozo: And again, I just want to go back to the requirement of the Council's approval. Because if you go as a consultant, then it does not require that extra vote. Versus the Special Counsel. So that is a big difference, but if the intent is to go to Special Counsel, that is where it should be, in my opinion. Thank you.

Committee Chair Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: I think the Chair has said it. Thank you.

Committee Chair Kaneshiro: Councilmember Hooser.

Councilmember Hooser: So this is for procurement for a solid waste solution? It would not be under "Public Works" then?

Ms. Nakamura: It could be. And we have tried to consolidate and put it all within one department, just as we are trying to put personnel functions under HR. This is just trying to put the funds where it is appropriate. And who will be overseeing that contract will be someone assigned from the County Attorney's Office, working with the attorneys who are retained, whether it is special counsel or consultant specialized consultant legal services to help us negotiate potentially a final contract.

Councilmember Hooser: If you could succinctly, what kind of solid waste solution is this? Is this a landfill? Is this a materials recovery facility? Is it waste-to-energy?

Ms. Nakamura: It could be all of the above.

Councilmember Hooser: So are we determining what we are using?

Ms. Nakamura: I think...

Councilmember Hooser: Are we evaluating different options out there? Has the decision...is the attorney going to write a contract?

Ms. Nakamura: Potentially. Potentially. We are in a procurement process right now. So I think we need to be very careful about the amount of discussion we have about it. It might be better to do this in executive session.

Councilmember Hooser: Okay. I am not prepared as a Councilmember to vote to spend money to procure a technology if I do not know what it is going to be. I may not support that technology. If it is say waste-to-energy or some other path that I do not support, I do not want to vote for money to go down that path without having that discussion about what we are going to have? Flat out. So it would be very difficult for me to support this funding without more extensive discussion at the minimum.

Ms. Nakamura: And we...I think it is probably best to do this in executive session.

Mr. Trask: We welcome your questions today and if we can...please send me everything in writing and I can ask Public Works and the CIP Manager to get more specifics. Because I think that would be the best way to address...before decision-making on the budget, what you want to do and the reasons why.

Councilmember Hooser: Being briefed by Public Works on what the plan is would be my question? I do not know if you want me to put that in writing.

Mr. Trask: I can take that.

Councilmember Hooser: Thank you.

Committee Chair Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: At minimum we should have an executive session on this. But it is very troubling that we cannot have an open discussion first before we go to RFP. And we have never really had an adequate discussion on the floor about where we are trying to go in Solid Waste. And why we are trying to do something other than our Integrated Solid Waste Management Plan, which we spent a lot of money on. It looks like we are trying to avoid special counsel. Looks like we are trying to avoid looking like we are spending a lot of money on this RFP process by putting it in different budgets. It is very disturbing.

Mr. Trask: I definitely do not want to give that impression in our budget presentation. I will check, but late last year, sometime in the fall or winter, I believe the Council passed a Resolution saying essentially to be really pragmatic in looking at Kaua'i's landfill, solid waste, food waste...all kinds of waste problems and I believe this was result of this...the RFP was a result of that and it was comprehensive in that respect. I definitely will endeavor to get at least Public Works to know your questions and try to get you answers.

Committee Chair Kaneshiro: Council Chair Rapozo.

Council Chair Rapozo: You are correct. This is the Administration's response to the Council's Resolution. Not all Councilmembers supported this, but it was a Council action that the Administration has responded to. The other point and Mauna Kea, maybe can you take this back, or if you can answer it today. The details of the RFP may be confidential, may be private, but this is a request for proposal. So we are not even talking about a specific...so it relates to the RFP itself, I believe that needs to go inside here (executive session meeting room), but the solid waste plan or Administration's plan to move towards alternative energy can be done out here, in my opinion. As it relates to the specific RFP, yes, but other than that, if we are just going hear from Solid Waste as far as what their plan is moving forward to an alternative technology and without getting into the RFP, I think that should be held out here.

Committee Chair Kaneshiro: Councilmember Hooser.

Councilmember Hooser: If I remember correctly, the Resolution in effect said that we should explore all technologies and options. And that was it. It was not that we should spend half a million dollars to procure...to hire special counsel to go out and sign a contract with some technology. And that is...I want to make sure. Yes. So the

Resolution said various technology solutions and it sounds like we are putting \$400,000 in the budget to hire special counsel to go out and write a contract and to move this process forward.

Mr. Trask: On that, my understanding is that we do not...we have not...there is no procurement of this service. There has been no identification of the specific technology, if any. It is really if there are responses to the RFP, if the RFP is successful, you know, in whatever way, shape, or form, this is the type of services you would need in the future. So if the RFP...if no one submits for example, or it is not responsive, or it does not get any further than that process, then this may not be utilized.

Councilmember Hooser: But it may be utilized.

Ms. Nakamura: It may be, correct.

Councilmember Hooser: And I believe that the public...at the minimum is entitled to a discussion of the options. And this Council needs to participate in that discussion. And not just this vague "all technologies." It may be that there are certain technologies that the public and the Council does not support, and so why would we invest money in going after those technologies? So we have to do more than just have a discussion in executive session. I believe, if the Administration is evaluating technology, "A, B, C, D" we need an open discussion on those technologies, if possible.

Ms. Nakamura: We are in the stage one RFP process. In early May there is a deadline that...where we will have a better sense whether there is interest in looking at possible alternatives. And it is not...we are not set on any one technology. We really threw it out and cast a very broad net. So this was based on, as Chair Rapozo said, the Resolution passed by this Council. Now we are in a process that...and I am happy to have Ernie Barreira to come up and talk about the procurement process, but it is a two-phased process. Whether we decide to pursue the second phase would be based on analysis and feedback we received in the first phase.

Councilmember Hooser: And who makes that decision?

Ms. Nakamura: That will be based on a committee.

Councilmember Hooser: Who makes the decision to choose the technology? The Administration?

Ms. Nakamura: That is correct.

Councilmember Hooser: Okay.

Ms. Nakamura: So it would be a review committee.

Councilmember Hooser: But the Council will not vote on that technology?

Ms. Nakamura: Well, the Council would ultimately, if there is funding involved, the Council may need...may be involved in that decision. We cannot move forward without a partnership with the Council. It should be something that...but it will be a committee's recommendation on whether we select up to three to five best proposals that may be involved in the next phase, the phase 2. So the decision will be whether or not we pursue the second phase or not. And which of those proposals that we receive, if any, rise to the top?

Councilmember Hooser: Okay. If I can just ask staff to flag this for me? I do not want to inadvertently vote in support of this until I am adequately satisfied with the details. Thank you.

Committee Chair Kaneshiro: Council Chair Rapozo.

Council Chair Rapozo: Thank you. At the end of the day, I mean, nothing moves unless this body approves the funding. That is just the reality of it. But this is a significant amount of money, and I can appreciate Councilmember Hooser's concern. So I guess...I do not know if we should do it here? I think it would be better to have the discussion in the Committee in the Public Works Committee. We can actually have Mr. Barreira and Solid Waste and the Administration present to us what they have so far and we can ask the questions.

Mr. Trask: We would appreciate that. We would like to stick to the budget presentation today.

Committee Chair Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: This is related to the budget presentation today. At the end of the day, nothing moves without Council's okay. But if we spent \$2 million to get there, and then we decide we do not want it, it really does not make sense. And that is what the Big Island did. We already have that example. So whether when we do an RFP, we are supposed to know what we want. When we do an RFI, request for information and then define in your RFP what kind of technology you want, that meets all the criteria in terms of environmental soundness, in terms of cost effectiveness. In terms of meeting sustainability criteria, et cetera. So if you have not done that, you are going to get proposals that you cannot really judge by.

Mr. Trask: And they did an RFI, too. So I think when you have more specific...

Councilmember Yukimura: The RFI did not help to define what you really wanted.

Ms. Nakamura: Again, the idea was to cast a broad net and not tie us down to any one technology or system, because some of these may not be a technological-based solution.

Councilmember Yukimura: There has been nothing that has showed that waste to energy is economically feasible for Kaua'i.

Committee Chair Kaneshiro: Councilmember Hooser.

Councilmember Hooser: A technical question. Do we need...or does the Administration need Council approval to commit our waste stream to a vendor?

Mr. Trask: Flow control ordinances? Are you talking about a flow control ordinance?

Councilmember Hooser: I am not sure.

Mr. Trask: Yes. To direct...on Kaua'i there is only one landfill. So all municipal solid waste flows through that landfill. In larger municipalities, like in the northwest, for example, to make the economy of size viable, legislative bodies can mandate all garbage go to a municipal landfill. But there is only one landfill here. So it all goes there.

Councilmember Hooser: So that is the Council's authority to control that flow?

Mr. Trask: It would be legislative policy. Yes, it would have to be enacted and currently I understand there is no flow control because it is only Kekaha.

Councilmember Hooser: There is no ordinance now that directs waste into the Kekaha landfill?

Mr. Trask: It is the only landfill.

Councilmember Hooser: There might be people that want part of that waste.

Mr. Trask: Correct.

Councilmember Hooser: There is no ordinance now?

Ms. Nakamura: There is no ordinance in place.

Councilmember Hooser: So yet we would need an ordinance to direct it somewhere else?

Mr. Trask: Possibly. You would...in order for economies of scale as Councilmember Yukimura said, if you had to make it work, then a flow control ordinance would...I would guess, from an engineering perspective, you would need that to get a certain tonnage of garbage.

Councilmember Hooser: Right. My question is whether it is required?

Mr. Trask: That is numbers. That is something that Solid Waste would know.

Councilmember Hooser: Okay, thank you.

Committee Chair Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: Our Integrated Solid Waste Management Plan already said we did not have the economies of scale and I believe there is an RW Beck study that said we did not have economies of scale to make waste-to-energy work. And the Pelatron that is trying to get the Council to lobby does not even have a working model on the County.

Council Chair Rapozo: Hang on. I am going to call a...

Committee Chair Kaneshiro: We cannot use names.

Councilmember Yukimura: Why can I not use names?

Council Chair Rapozo: I am calling a point of order, because the budget discussion is not about any specific technology or company or anything like that, anything specific...and I just would suggest, as I said earlier, if we want a briefing to do it in Committee. Because this money is not identified for any specific technology or company or anything like that.

Committee Chair Kaneshiro: That is why a lot of conversations have been saying that we should move it to executive session.

Councilmember Yukimura: Well, I do not know why the name should create such concern, except that they have been lobbying.

Council Chair Rapozo: Well, Mr. Chair, I have been approached by four vendors that have expressed interest in putting some kind of facility out here. Four. Whether or not they even put in and submit on the RFP, I do not know. But to isolate one company, I think you, Mr. Trask, I do not know what is legal? What is not? What is confidential? What state we are at in the RFP? But I think the budget discussion today is technical assistance, legal help for an RFP.

Mr. Trask: I would just like to say, I am coming across as supremely ignorant because none of this is within my scope. I know what the line item is and generally know what it is for and I know the budget as it pertains to the Office of the County Attorney and I would appreciate if you would have those resource individuals in the appropriate venue versus me looking like I do not know anything today.

Committee Chair Kaneshiro: Again, I think the better discussion would be with Solid Waste and with that, I would like to move on past this item already. Because we are going to get more information on it and we will have the meeting with Solid Waste. I will go back to my initial question to, re-evaluate whether the number should be in here or in Solid Waste? Because if it was in Solid Waste, we would have had the discussion at that time and I do not know why it needs to be in your budget. Any further questions? Councilmember Yukimura.

Councilmember Yukimura: So if it is in Solid Waste's budget, but they require legal counsel, is that still a special counsel requirement?

Mr. Trask: I would have to understand more about what the scope of services are?

Councilmember Yukimura: Okay.

Mr. Trask: Because advice and counsel, you are correct, representation, you are correct. I have been told that it has been done before and Boards and Commissions had a legal consulting contract to review Charter Commission work years ago. I would like to appreciate more on how that works, because I am learning stuff every day. So I think the May 8th amended submittal will allow me time to understand that better.

Councilmember Yukimura: Thank you.

Committee Chair Kaneshiro: Any further questions? Council Chair.

Council Chair Rapozo: I have a question, but I would request that we have that briefing with Solid Waste before that May 8th submittal, staff. In the Public Works Committee.

Committee Chair Kaneshiro: Any further questions for the Office of the County Attorney? If not, thank you. We will take a quick five minute break just to transition and we will have the Prosecuting Attorney's Office up next. We can do ten. We will take a ten minute caption break.

There being no objections the Committee recessed at 10:55 a.m.

The Committee was called back to order at 11:06 a.m. and proceeded as follows:

Committee Chair Kaneshiro: Welcome back. We have the Prosecuting Attorney up next. Justin, we will suspend the rules and if you have a quick, brief presentation for us on your budget.

JUSTIN F. KOLLAR, Prosecuting Attorney: Good morning, *aloha*, for the record, Justin Kollar, Prosecuting Attorney. Here with my administrative staff and many of

the deputies, just wanted to bring them along so you could get to know their faces if you have not had the opportunity to meet them before. I got really excited and prepared a 67-slide PowerPoint presentation for you. This is just something that is something that I get enthusiastic about. We will try to fly through most of that and get you folks where you need to be by lunchtime. We do not want anybody having a blood sugar issue and getting cranky. Happy to be here, and I just want to mention straight off the bat that we are proposing a budget with a total increase of less than 1%. I think that makes us and Finance Department the only two departments coming in with less than 1% proposed increase. In fact, it would be a budget decrease this year if not for the collective bargaining increases, which as you all know, we have no control over. And I also want to thank and acknowledge Ernie and Ken and the Mayor's Budget Team for helping us through the process. I will try to go through most of that pretty quickly. Our mission statement of course our mission is to promote the fair and impartial expeditious pursuit of justice in every case to ensure safer communities and to promote integrity in our profession. It is our mission to temper justice with compassion and to do our work in an open, transparent, and accountable way. Our visions for safe and healthy community where offenders are held accountable, case dispositions are appropriate for offense and offender time. The inefficient administration of justice occurs services deliveries and proof for victims and witnesses. Crime is reduced. Fear of crime is reduced and our vision is for an OPA that exemplifies competent and professional behavior. Efficient physically responsible management and administration and consistent coordinated enforcement efforts and administration of justice. Budget information for this year's proposal. Zero new positions, there are three positions that are existing positions that have changes occurring. One position 2825 which was a former clerk position, a Legal Clerk III position become Victim-Witness Trainee position and went from county funding on to the state VOCA funding. The incumbent in that position moved with that position into the Victim-Witness Trainee position that resulted in \$33,720 off the county balance sheet and the clerk position was back filled a Senior Clerk level so at a lower SR filled using Position No. 2829 formerly 9109, which I believe was formerly one of the law office assistance numbers. We replaced the \$34,000 position with \$31,200 position, net savings of \$2,431 to the county budget. The position 9102 is the Process Server position. That one unfortunately now is 0.6 County funded in the budget where in the past we have funded it using JAG Grants. This year just the diminishing nature of the JAG Grant over the years has resulted in us having to include \$23,276 of County funding for that position. The remaining \$17,476 will still be covered by JAG funding. In past years we were able to piece together funding to fully fund that position at JAG Grants because we had multiple years with open funds we were able to cobble together and fund that position, but that is just basically just run out. So we included this chart here as requested showing our contractual positions funded by State or Federal Grants. Three Deputy Prosecuting Attorney positions. One is the HDOT Grant, the Traffic Safety to Resource Prosecutor. Number 2 is the Domestic Violence Prosecution Unit and Deputy Prosecutor and three is the Career Prosecution Unit, Deputy Prosecutor. Four through seven are Victim Witness Counselors which are funded either in part or by whole by county or state grant or federal grant fund, as well as some county funds and the process server position as I just described 40% federal grant, 60% county funds. Our structure we are still Kaua'i's largest law firm we operate in the District and Family Court, Circuit Court, and appeals to vision that works at the intermediate court of appeals and

Hawai'i's Supreme Court also provides administrative services. Fifteen total attorneys, 14 clerical support, 5 staff in victim-witness program, 5 administrative support and 4 investigative. In district and Family Court Unit, supervisor is Deputy Prosecutor Becky Vogt, the rest of you do that to. Deputy Prosecutor Jenna Tatsy, works in adult domestic violence. Adult Family Court, Deputy Prosecutor Leon Davenport, handles district court criminal calendar. Deputy Prosecutor Gregg Jimenez, District Court, Traffic and DUI cases. Deputy Prosecutor Sarah McNamee, currently in Juvie Court, and so that is our team that handles this unit. I want to mention that Gregg is a Lieutenant Colonel in the Air National Guard. He has been with us for about a year. Worked on the Big Island in the prosecutor's office over there. Worked at United States Military mission to the United Nation in New York before coming back to Hawai'i. Sarah McNamee spent six years teaching special needs kids over at Wilcox Elementary School before taking the bar exam and coming to work for us. Leon clerked over on Maui for a judge over there and Jenna came to us here on Kaua'i where her Aunt is involved with Children Justice Center. Jenna was volunteering over there too and then applied for a job at our office. So I am real happy to have a solid team in the District Court and Family Court, and basically those calendars, district court traffic, which is all your traffic citations and DUIs. District Court Criminals petty assaults, petty misdemeanors, misdemeanors, leash law cases, violations, county code violations, things of that nature. Adult family Court which tends to be primarily the misdemeanor and felony domestic violence calendar and then the juvenile family court which is the obviously juvenile calendar. Also encompassed in there is the girls court program, which I will talk about for a moment later on. The mental health calendar and (inaudible) program which operates out of the District Court for individuals with mental health issues. Circuit Unit, First Deputy Prosecutor Jennifer Winn, Deputy Prosecutor Becky Vogt. Ann Clarken who is a National Highway Traffic Safety Administration meeting right now. John Murphy who I think you probably met before. Sinclair Salas-Ferguson, handles primarily drug cases in our office. George White handles Criminal Prosecution. Kalaeloa Su handles Juvenile Sexual Assaults and other Felony Persons Crimes. Sally Tobin, Deputy Prosecutor came to work to for us after working as deputy AG on Guam and Deputy Prosecutor Joann Sheng has recently come up to Circuit Court and she is out visiting a crime scene right now so she is not here. In the circuit court we obviously hear all the felony cases, persons crimes, drugs, property, criminal, motions hearings and trials, misdemeanor jury demand cases, grand jury proceedings, drug court, hope probation and then of course felony charging and screening. Appeals and administrative services, section Deputy Prosecutor Tracy Murakami handles the bulk of the efforts in that department. She has been doing that a long time. She is great and we also have Ann Clarkin help out somewhat since she did work for eight years in the Honolulu's Prosecutor's Office as a Senior Deputy Prosecutor, and has been handling appeals over there and brings a wealth and knowledge and experience to the Office. Appeals in admin services, handles of court appeals, asset forfeiture, Rule 40 petitions, and assists with legislative testimony and research and also in drafting case law updates and other policy updates that we need to send to the Kaua'i Police Department when major appellate come down. We like to provide some reason briefings to them especially if it is going to affect the way they have to do certain things. Our organizational chart there included for the budget instructions we received FY '16 accomplishments, I will run few things really quickly. With regard to the cold case unit, that unit is funding is expiring. We had the four years of

funding. That is the maximum period of time that DAG will fund a unit like that. However, we are going to continue the unit operations and the nice thing is that we were able to get nearly every single piece of remaining physical evidence from our unsolved homicide cases tested and analyzed at the laboratories pursuant to our contract with them. The lack of funding should not be as much as an issue moving forward because the evidence has been analyzed. There is very little left to be done and if there is further analysis or testing that needs to be done, we will find how to make that happen. We did close out one (1) case this year in the cold case unit and we got another that is on the brink of closure. We advocated very strongly this year for the (inaudible) for the crime victims bill of rights. It would be an amendment to our Hawai'i State Constitution. We are one of just 18 states without a crime victims bill of rights embodied in our state constitution. This year it is known as Marsy's Law, and very fortunate this year to have the Attorney General Doug Chin on board with supporting that while the House Finance Committee I am pleased to state waived its 48-hour hearing notice yesterday, put the bill on for its final hearing, so it is past its final Committee now in an amended form that looks very good for law enforcement and I was just informed, I think by Mr. Topenio our Historic County Building will actually be illuminated in purple this evening in support of Marsy's Law. We are happy that has gone well. Crime victim bill of rights would encompass these listed rights here that will become part of our State Constitution: the right to be treated with courteous fairness and respect for our dignity and privacy throughout the criminal justice proceedings. The right to receive information about rights and services available to crime victims. The right to receive timely notifications of proceedings and other major developments in their case. The right to receive timely notification of changes to the offenders' custodial status. The right to be present in court proceedings. The right to provide input to the prosecutor before the plea agreement is finalized. The right to be heard at pre-sentencing proceedings or any process that may result in the offender's release, and the right to restitution. The language in some of these was taken from an earlier version of the bill. I think it does not track word-for-word with the amended version passed yesterday, but that is essentially the gist of it and these rights would not only affect our office, the Prosecutor's Office, but would affect the Police Department and affect Courts and affect the Department of Public Safety. Really every part of the criminal justice process, in supporting this I was fortunate enough to have the Star Advertiser agree to publish an op-ed piece that I wrote which was published on February 17th of this year advocating in support of the crime victims bill of rights. With regards to vehicular crimes prosecution, we did continue the funding of our traffic safety resource prosecutor program. Right now within our office it is DPA Ann Clarken who is responsible to act as our Traffic Service Resource Prosecutor. There are two in Hawai'i one here on Kaua'i and the other one on the Big Island that is Darry Nagata on the Big Island, and basically responsible for serving as clearinghouse statewide for information and resources for Traffic Crime Prosecutors. So it is a rather substantial grant, which we received from the Department of Transportation with the kind support of the State Highway Safety Council. It resulted in a significant strengthening of OVUII. Impaired driving and vehicular manslaughter prosecution efforts. One major issue you may have seen some media coverage of is with regards to telephonic search warrants. Kaua'i is the first county in the state to successfully implement this procedure with the kind assistance of the Judge Trudy Senda at the Fifth District Court and the Judicial Administrators over there. If we have somebody pulled over for DUI and they refuse to give a breath or blood

test at the station, the police officer can get the judge on the phone right then and there and get a search warrant and have their blood drawn pursuant to the search warrant. In effect there is no longer any right to refuse testing. So we should be able to enhance our prosecution of DUI cases and this process has been used several times recently with good results so we are enthusiastic and proud and hopefully that some of the other counties will begin to emulate. I know Maui and the Big Island are working on it. We did trial training for our newer Prosecutors. We did a multi-week trial training with retired Judge and National Institute of Trial Advocacy Trainer, Frank Rothschild, who is a retired practitioner here on Kaua'i, was a per diem Judge. Basically we do half days on Friday over at the courthouse, and Judge Rothschild, who is also a retired former Federal Prosecutor, would bestow his wisdom on the Deputies and they would engage practical exercises designed to enhance their ability to do their work inside the courtroom. We also were very lucky to be invited to participate in the National District Attorneys' Association weeklong advocacy training in Honolulu, courtesy of the Honolulu Prosecutors December '15. We were able to send five of our Deputies over to that training as well. We did a Prosecutorial Ethics Training in our office. Brought over former Honolulu Prosecutor and Mayor Peter Carlisle and former Kaua'i Prosecuting Attorney Craig DeCosta and we spent 3 hours in the morning talking about prosecutorial ethics. We are really lucky to have Peter Carlisle come over and support us in that. He is such a wealth of information, and set the gold standard in so many ways in terms of the world of prosecution. So for him to come over and help us out was really outstanding. We also initiated regular briefings for KPD Police Officers and participate in training for KPD recruit classes. You can see there kind of cut and paste of what the itinerary looks like when we provide training on the penal code to the police recruits and then we also do monthly pre-shift briefings, come in at 6 a.m., 2 p.m., and basically pick a topic. Sometimes it is DUI. Sometimes it is charging procedures and we give them a short presentation and then open it up for questions from the Patrol Staff. It has been very successful and we are really happy to have that opportunity for partnership with the Police Department. I also included here a list of the trainings that the Deputies attended throughout the year. Many of them here on Kaua'i and many here within Hawai'i. A few on the mainland, primarily grant-funded opportunities for training there. As you can see, we do place an emphasis on providing meaningful training and educational opportunities for our deputy staff. One item that I am really excited to talk about is the courthouse assistance dog that will soon be coming to join us at the Office of the Prosecuting Attorney, we will be the last county in state to get one of these animals and once we do we will be the first state in the country where every county does have one. So it is very exciting. The agency breathe and trains the dog is located on Maui. They worked really well with us. The cost of feeding and caring for the dog is borne by the person who is the handler. They feel it is important to have the handler take on the costs to be invested in the dogs. Technically ownership does remain with assistance dogs of Hawai'i, so if there is a major medical issue that needs to be addressed, a high-cost item they will likely step in at that time and address that, and then at the time the dog is going to be retired, 7-10 years, usually the option would be given to the handler to take formal ownership of the dog at that time. And what these dogs do is provide comfort and courage to children who are victims or witnesses of crime. These specially trained dogs work full-time at Prosecutor's Office and help children find their voice throughout the difficult legal process. Courthouse dogs accompany children in interviews, exams, and even testifying in court. Courthouse dogs are

a type of facility dog and live with the handler, who is usually a prosecutor or victim advocate. Courthouse dogs receive the same level of training as guide or service dogs. They require a very specific temperament and cannot react to outbursts or distractions in the courtroom. Having had the opportunity to meet Pono, who is the service dog at Honolulu Prosecutor's Office on a number of occasions, I can attest that these dogs are the gentlest and most passive and put everyone that they are around at ease. It is really nice to have when you are trying to assist someone in the process of being traumatized by a trip through the legal process. Kaua'i's Girls Court is another program that we are excited about on Kaua'i. The first cohort of three graduates passed out of the program January 2016, and the second cohort was just inducted yesterday by the Honorable Judge Laurel Loo, so I had to dig out of the YWCA event early to see these young women get inducted into this program. Basically as Judge Trudy Senda explains "it is imperative that we as a community understand that girls have different needs, learn differently, and should be treated differently from than our male counterparts in the criminal justice system. The more intensive support, supervision and services that the Girls Court is able to provide is critical for helping young women prepare for a successful future." Fiscal Year 2016 challenges. I included this slide just as an example of what kind of thing really gives us heartburn. In here, you can this is a letter from the Department of Public Safety concerning an individual who was sentenced to serve a five year prison term and had his minimum term at 3 years and here we are getting a letter after this guy served about 10 months saying they are going to cut him out on work furlough. It is a common situation and a lot of people hear "oh, he got five years in prison" and people think he will be in prison for five years. It rarely works out that that is the case unless it is a very egregious case. The Hawai'i Paroling Authority sets the term of how much the person is required to spend in the facility before they are eligible to apply for parole and on top of that, the facility itself can identify particular inmates it deems suitable for work furlough and other situations like that. I think we can all remember media accounts we have seen in Honolulu and here on Kaua'i of inmates who have not returned when they are supposed to return, raising the question of whether they are really vetting these participants as strongly as they could. So I think part of that is the fact that the facilities in Hawai'i are overcrowded. There was an initiative several years ago to bring back many of the inmates that are housed on the mainland. So that was done. This put a large pressure on our in-state facilities. I think there is a little skitishness because of the fear of prison crowding litigation that the State potentially faces. Judicial mandates. State v. Juan, Missouri v. McNeely, these are two cases if you are not familiar really kind of upended the world of DUI prosecution especially with regards to blood and breath testing and fortunately being a smaller jurisdiction, we are able to react more quickly than Honolulu, who have hundreds of officers and prosecutors who need training and here we were able to get on it quickly, so it did not hurt us too bad, but still resulted in excess litigation, and in undesirable results in some cases. Second would be the wait-list at Drug Court and unfortunately there is a wait-list to get in the program. I do not think it is at any fault of the program. They do a great job and we are really fortunate to be able to work with them. It has been a staffing issue and an access to resources issue for them. We currently have a wait-list to get individuals into the Drug Court program. So while those folks are waiting we have to try and do our best working with the intake service center and working with the Drug Court staff to find an arrangement that is going to keep these people from getting into more

trouble while they are waiting to get treatment. And keeping abreast of legislation. You folks know this is the legislative season right now. We have got to keep on-track of the criminal justice initiatives that work their way through the Legislature. Bad laws make our jobs harder and every session there are things that we have to watch out, be on top of and propose amendments and communicate on, and that is a part of the process that is challenging only in that the Legislature can move at a very rapid speed at sometimes. Diminishing JAG grant funding over the years. I included a chart to show basically the levels of the formula JAG funding that we get from Fiscal Year 2007-2015 and you can see in 2009 there was that big jolt, the \$95,539 and then the Recovery Act funds of \$191,079. Basically that pot of money is gone at this point. And we are living with the \$17,476 you see in the lower left-hand corner there. The total amount of the JAG grant that comes to the County is \$34,952. That gets evenly divided between the Police Department, and the Office of the Prosecuting Attorney. They use their funds for whatever they use them for and we use ours to help fund the Process Server position. Some things we would like to do more of in the coming year, like to try to figure out how to do more community outreach. It ties in with the performance measures we will talk a little bit later related to reduced crimes and regarding the criminal justice system and to find a cost-effective way to do outreach and determine what the sense is in the community as to various issues pertaining to the criminal justice system more than simply anecdotal things from people we talk to. But to see if there is a statistical way to gather meaningful data on how that is. So that is something we are going to look at and be working on in the coming year. Veterans Court is another issue, another program we would like to see come to Kaua'i and I know Chief Judge Valenciano is supportive of that as well and something that he wants to see happen. They are doing it on O'ahu and the Big Island and we would like to have it here. Basically it provides mentoring and services to veterans who have come into the criminal justice system for various reasons. And if they go through the proper assessment and it is deemed that they would be benefitted by the program, you put them in the program. It is a fairly rigorous program. They are mentored and given access to counseling services and whether it is a substance-abuse or PTSD issue, they are tightly wrapped in services. It is a great program. Greg Jimenez is our liaison with the judiciary. We have a working group, where we are meeting and trying to figure out a way to bring this over here? The problem of course is again resources at the judiciary-level. And we are trying to figure out a way to get that done without having them...basically they need to be able to do it in an expense-neutral environment.

Committee Chair Kaneshiro: Justin, I see we are about halfway through our slides. I do not want to rush you or interrupt the presentation, but I know a lot of the next slides are all performance measure graphs. Maybe if you could just give us...I see you have goals and major areas and maybe just give us a rundown of those and not necessarily go through every graph?

Mr. Kollar: Sure.

Committee Chair Kaneshiro: If Councilmembers have particular questions as we go on, you can just tell them, "hey, this is the graph we did that analysis on" and we will go from there.

Mr. Kollar: Can do.

Committee Chair Kaneshiro: Thanks.

Mr. Kollar: Most of this is performance measures information I discussed last year. There is a link to the PDF done in 2007 and you can peruse at your leisure, but talks about effectiveness in a prosecutor's office. Promoting fair and impartiality and expeditious pursuit of justice and ensuring safer communities, and promoting integrity in the profession. Click through here...we included information pertaining to conviction rates in different categories of cases. The trend lines typically are going in the right direction. Generally range from 86% range to 94% range and property crime areas, other area not so high, different kinds of cases present different challenges. You have the 2014 information on the left. The 2015 information on the right. And again, this is calendar year information. For the two years where we have had the ability to track these things in our case management system. Next slide you can see charges received by type. This is the total number of charges, it is not the total number of cases. This is the total number of counts. Ranging from traffic crime citations, asset forfeiture matters, violations, which is a non-criminal penal offense, traffic non-felony cases, juvenile, adult family, felony, misdemeanor, and PMD is petty misdemeanor. We received fewer charges in 2015 than 2014 from somewhere north of 6,000 to somewhere north of 5,000. And those are just charges received from law enforcement. In this slide you can see the cases, total number of cases received by type and level of offense. The high volumes of course felonies, misdemeanors, petty misdemeanors. I did not sort them by different case types. I just wanted to sort them by level of offense or type of offense. Do see a decrease in juvenile cases coming in. This slide talks about drug cases received 2014-2015 and we did see an increase in the number of felony drug cases coming into the office. This slide talks about persons crime assault cases and saw a slight decrease, 10% decrease in the number of persons assault cases coming into the office. Year-over-year by case attribute and flagged the cases by different attributes mostly tied to grant tracking. We track property because it is a priority for the community. And again, you have 2014 numbers on the left and 2015 numbers on the right. The Environmental Court was just established in July of 2015, so of course, there are no stats for that for 2014 because it did not exist. We see increases in DUI and increases in property cases and domestic violence cases and career criminal relatively stable. Cases filed by type, these are the number of cases filed with the courts. Separated out by the court itself, Circuit Court, District Court, Traffic Court, District Court, Family Court, and Juvenile Court. Appellate and administrative division. You can see the number of appeals there 2014 on the left and 2015 on the right. Asset forfeiture petitions and Rule 40 petitions. Cases closed by type during calendar year 2014-2015 and the bar on the left is 2014 and right is 2015, cases closed during the calendar year. It could have opened in a previous year, so numbers from year-to-year. By type. 2014. Just less than 880 guilty or no-contest plea, et cetera. Case dispositions, you can see the different sentencing terms that we see for cases. You can peruse that at your leisure, drug court referrals. We see less referrals in 2015 and in discussing that with drug court staff, I believe it is just the staffing issue with them. The number of graduates has increased, but along with that the number of terminations have slightly increased. Teen Court, total numbers. Some intakes are in the program and completion rate is over 95% with regards to teen court. Here is the

performance measure talking about the screening time and average screening time of cases. This is the average time from the time we receive the case until the time the case is formally charged in court. 0 to 30 days, 31-60, 61-120, and 121+. Case closures within 12 months. This is the percentage of our cases by category that we are able to close within 12 months from the time that they are charged. Services provided by Victim-Witness staff. 2014 on the left, 2015 on the right. Number of witnesses served total and number of victims served on the right. We see substantial increases from 2014-2015, and that is partially because we have simply just increased our capacity to serve victims and witnesses over the past few years on our Victim-Witness staff. Separating out the services provided by number of cases sending out satisfaction surveys to victims after their cases are completed and these are some of the responses that we get back. Our investigators, number of requests for services that we deal out to them, 2014, 2015, one full-time investigator and two halftime investigators. They get the job done and we are very grateful to have them on our staff. I want to get into the situation to do more community outreach. We know different things that the community is concerned about and different cases that the community is concerned about, but talking about gathering a statistical base of information. Promoting integrity in the profession is the last category, performance measure talks about competent and professional behavior in terms of providing professional legal training, which we do...no disciplinary actions by the ODC. Fiscal management of the Office. We believe we are good stewards...working with our partners at human resources in classifying a number of unclassified positions that we inherited four years ago and then elimination of appointed / exempt contract positions, which resulted in cost efficiencies to the county this year it is less than 1%. We are able to track our staff workloads and do regular reviews all the supervisors do that, myself, Jennifer, Becky, and Diana with her Victim Witness staff, and we are able to look and see what everyone has, see where their cases are at, see how long they have been at that particular status and work with them on making sure things keep moving. Consistent and coordinated enforcement efforts as I mentioned earlier, working with KPD on briefings, blood draws, search warrants, and coordinated with other counties to coordinate training efforts to bring trainers to Hawai'i and provide training right here in Hawai'i rather than sending people to the mainland for training. Our participation legislative process with our partners there, who we are also very grateful for. Succession planning we ensure cross training opportunities in the Office. Say an administrator is out for several months, that somebody else can step into that role and get the job done and gain the knowledge and gain the skills. We have shown in the past year that we have been able to do that. And here is the numbers. You can see that the numbers are very similar to last year's.

There were a couple of big purchases last year that got out of the way. So those are not showing on the proposed budget. We are very grateful that the Council gave us the \$40,000 to buy our furniture last year that. Was a one-time expense. That is off the budget. We went through everything else line-by-line, office supplies we reduced and doing more printing with the cheaper Xerox copiers and to value engineer the office to keep our budget stable and provide good services to the County. You can see the comparisons FY '16 to FY '17. The vast majority of our budget, 95% is salary, wages, and benefits. You see here just side-by-side comparisons. Very similar year from year...\$3,810,188. At this time I

would just thank you for your attention. Thank you for giving me the time to be here, and I would be happy to answer any questions that you might have.

Committee Chair Kaneshiro: Councilmember Chock.

Councilmember Chock: Thank you for the presentation, Justin. I was wondering if you might be able to shed light on other services, licensing and maintenance and just justification for the increase?

Mr. Kollar: The CMS that we use is called Justware and we track all our work and information within the Office. All of our employees in the office, 43 users need to have access to manage that information on a day to day basis. It is a secure cloud-based system where we are able to store all of our case information securely, in cloud servers. It is the same provider that the Maui prosecutors use and hopefully the Big Island prosecutors will be using. We implemented it about three years ago and it is been a real big game-changer. Unfortunately it is not cheap, but it is one of those things that is unavoidable and we welcome with them to provide extra services to us. Art Williams our Administrative Officer is the liaison with the company that provides that and quite often we are able to call them that we need this extra that is not included in our plan and can you help us with this module added on there is they are very good with working with us.

Councilmember Chock: This is a one-time cost?

Mr. Kollar: The case management, that is ongoing, licensing and maintenance of the system.

Councilmember Chock: \$80,000 annual cost?

Mr. Kollar: Art, do you know what the annual number is? If you do not know, we can provide it.

Councilmember Chock: That is fine.

ART WILLIAMS, Administrative Officer: Art Williams, Administrative Officer, so the regular annual cost was classified under the R&M, is that what it was?

Committee Chair Kaneshiro: R&M computers.

Mr. Williams: Yes, R&M computers. This year was moved into the category that is there.

Mr. Kollar: That was at the request of the Budget Team.

Mr. Williams: It has been a line item for the last three years for us and the increase contractually is limited to 5% year-over-year. It jumped a little bit in

the last year and we moved moneys around, so we could accommodate electronic connection with KPD and connect to their system.

Committee Chair Kaneshiro: Last year the number was \$65,000 and this year it is \$80,000 and that increase is for the actual server?

Mr. Williams: And includes connection with KPD.

Committee Chair Kaneshiro: Any follow-up questions on this line item?
Councilmember Kualii'i?

Councilmember Kualii'i: I have questions on positions. On page 3 in both the PowerPoint presentation. Slide 5. Slide 5 has a chart showing contractual positions funded by State or Federal grants. Then as you break it down, it has portions, some with county funding as well. On page 3 in the narrative you provided earlier, there is a similar report that says "contractual positions fund by State or Federal grant." They do not exactly tie up. Is one more current than other? You added Victim-Witness Counselor position, I think?

Mr. Kollar: I see that. We did get...we were receiving updates on these charts as the process...

Councilmember Kualii'i: I am actually going to ask to include the position numbers. Because right now, when I try to compare with what you have in this report, with what is actually in the budget, I do not know which position is which? Because in the budget, we have exactly position numbers. And in the budget, we have positions, like, E-64 that says Deputy Prosecuting Attorney, 50%, I am guessing that is maybe one of them? Because if we are paying for 50%, where is the other 50% being paid?

Mr. Kollar: That is a halftime employee.

Councilmember Kualii'i: It is only halftime.

Mr. Kollar: Yes.

Councilmember Kualii'i: So that is the full budget for that person?

Mr. Kollar: Correct.

Councilmember Kualii'i: How about next one down below? 9087? Deputy Prosecuting Attorney, 55%? Is that the other 45% being paid by Federal or State funds?

Mr. Kollar: Yes.

Councilmember Kualii: So it is a full-time position. 100%, and this report that you would show contractual positions funded by State or Federal grants and if it is paid by both State or Federal or none of them work that way it is either State or Federal?

Mr. Kollar: We can give you that. The three grant funded would be E-88, the dollar-funded position, 9087, and then 9091. Those are the three that we fund through grants.

Councilmember Kualii: Okay.

Mr. Kollar: We can provide which grants on which.

Councilmember Kualii: Even that one E-88, the dollar-funded, so it is full-time position that is funded by grants?

Mr. Kollar: Correct.

Councilmember Kualii: Okay. And you know 9087, I thought I saw on the new-hire report it was E-9087, is that still the same position, Process Server? There is 9087, Deputy Prosecuting Attorney 55% and then there is an E-9807, Process Server...

Mr. Kollar: I am not familiar with any...

Councilmember Kualii: That was a new-hire December 16, 2015.

Mr. Kollar: 9102 was Process Server, when Jackie came on last year. We had a transition in that position.

Councilmember Kualii: There is only one process server.

Mr. Kollar: Correct.

Councilmember Kualii: 9102.

Mr. Kollar: Correct.

Councilmember Kualii: Maybe the new-hires report from Human Resources has it wrong.

Mr. Kollar: We will follow up. It could have been a typo.

Councilmember Kualii: Thank you.

Committee Chair Kaneshiro: Council Chair.

Council Chair Rapozo: On the E-64, 50%, that is funded by the County though, right?

Mr. Kollar: Yes.

Council Chair Rapozo: So you might want to remove the asterisk because it indicates it is partially funded by another source.

Mr. Kollar: Yes, we can clean that up.

Council Chair Rapozo: That is all I have on that.

Committee Chair Kaneshiro: Any further questions on the salaries?

Councilmember Kualii: I have.

Committee Chair Kaneshiro: Councilmember Kualii.

Councilmember Kualii: On contractual positions funded by State or Federal grants, there are a couple of positions, one is a Deputy Prosecuting...two are Deputy Prosecuting Attorneys. And then the other one is the Process Server. Where it only shows the funding until June...I guess it is not showing...July 1st, Process Server July 1, 2016 to November 15, 2016. So the funds for November 16 through June 3rd for the rest of the fiscal year that we are budgeting for.

Mr. Kollar: That is just the contract it is undergone...That position is undergoing a classification process with HR.

Councilmember Kualii: You are anticipating more funding?

Mr. Kollar: No, that funding represents the entire year for that position.

JAMIE OLIVAS, Grant Coordinator: Jamie Olivas, Grant Coordinator, the position is for the entire year and the part of funding that we are requesting will cover the remaining part for the year.

Councilmember Kualii: I guess if I have the position numbers I might be able to tie it to the budget.

Ms. Olivas: Right.

Councilmember Kualii: And see there was partial funding there.

Ms. Olivas: It would be a partial funding because we do anticipate using the other part for the new grant that we will be applying for.

Councilmember Kuali'i: It will go for the full-year?

Ms. Olivas: Right, it will go for the full-year.

Councilmember Kuali'i: Thank you.

Committee Chair Kaneshiro: Any new questions? Councilmember Yukimura.

Councilmember Yukimura: Thank you. It is still good morning. So I appreciate your mission and vision statements, which I think are quite clear. So in the achievement of the mission and vision, going to performance measures. Just wanted an explanation and in our thing we do not have slide numbers. But it is on page 17 of your PowerPoint printout. You have the conviction rates. And you have compared them...I guess for 2014 and 2015. These are calendar years or fiscal years?

Mr. Kollar: Calendar years.

Councilmember Yukimura: Calendar years. Okay. So you are showing high conviction rates between the 80s and 90s for all of these. Is it your feeling that things are working well in the court system?

Mr. Kollar: There is always more to do, but I feel right now that things are working well. We can always get better and we always look for ways to get better. Both on our side and in terms of working with the judiciary. But we are certainly in a mode of moving forward.

Councilmember Yukimura: Okay. And these are percentages although you do not say that in your graph. It would be helpful to know your axes units.

Mr. Kollar: They are percentages.

Councilmember Yukimura: Okay, thanks. And the next slide down, you are talking about charges received by type. That means and you show 1,000 to 7,000 are the number of cases?

Mr. Kollar: No, those are the number of...if it says "charge," that is the total number of charges that come in. As booked as arrestees are booked the number of times those appear in booking.

Councilmember Yukimura: You might have one (1) arrestee with several charges.

Mr. Kollar: Right. This is just raw number of charges.

Councilmember Yukimura: Okay. And there is a reduction in charges from 2014 to 2015. Does that mean that crime is being reduced on Kaua'i?

Mr. Kollar: It could mean that. It could also mean that we are just receiving less charges from law enforcement. Or we won't know until we have more years of data to look at whether it is a trend or whether because are using different computer systems or working out different things? To us, you know, it is encouraging to see the numbers go down, but we do not know why the numbers are going down.

Councilmember Yukimura: So have you done like a five-year analysis?

Mr. Kollar: We do not have the data to do that.

Councilmember Yukimura: Oh. You do not have the data because?

Mr. Kollar: Because it does not exist, in any format that...

Councilmember Yukimura: You mean, that your data-collection system was different and therefore, you are calculating apples and oranges.

Mr. Kollar: That is essentially true. We do not have any data really from the time before we went live with the case management software.

Councilmember Yukimura: And the State does not have full data for Kaua'i County?

Mr. Kollar: The State has certain data. We would have to do some vetting in terms of how they calculate their data and how to that translates into data that we have. The State-level, we would have to look at methodologies that they use. The State's data runs back many years. So you can run comparisons from 1980, 2000, 2010, in State's data and form impressions from that. We have two years which is not a huge sample size to look at saying this is a long-term trend or just an aberration from the year.

Committee Chair Kaneshiro: We have a follow-up question, Council Chair Rapozo.

Council Chair Rapozo: Thank you. So we went with a new system two years ago.

Mr. Kollar: Correct. It went live in...when did that? 2013, middle of 2013.

Council Chair Rapozo: That system could not take the old data and convert it? Why would we buy a system or convert to a system that would not?

Mr. Kollar: The old system did not really have the data there. We probably could have paid a bunch of money to map some of the data, but I think it would have been very expensive and probably would not have been very useful. I think if we were to look at long-term trends it would be better to look at the attorney general data.

Because again, the legacy data in the legacy system, we do not know how it was maintained. We do not know, basically we cannot vouch for the completeness or accuracy of it, because based on what I know, it was used sporadically or inconsistently.

Council Chair Rapozo: So we just starting all over basically?

Mr. Kollar: We are starting all over with our numbers as of middle of 2013.

Council Chair Rapozo: Okay.

Mr. Kollar: As far as data that we know how we got it and we know where it came from and we can vouch for it.

Council Chair Rapozo: The charges received by type. 2014-2015 we see a drop as you just mentioned. What is considered a "charge"?

Mr. Kollar: A charge would be a report, a single report number with a charge attached to it. So if you get one arrestee with five charges, each of those charges is going to have its own report number. That is going to be five charges. That is the raw number of charges.

Council Chair Rapozo: That is the charge that the police officers charged them with.

Mr. Kollar: Correct.

Council Chair Rapozo: So if cases are dismissed or declined to prosecute, are those counted as well?

Mr. Kollar: Yes. This is just the charges that we received. So this does not include any numbers...we do not subtract out anything.

Council Chair Rapozo: So this is everything that came from KPD, between 2014 and 2015, I do not even know the numbers of, what are the numbers?

Mr. Kollar: We can print those out, but if you click on the graph it has the numbered data.

Council Chair Rapozo: I tried, but it does not work. So 2014, what is the number?

Mr. Kollar: I would have go into the graph, I could look at it.

Council Chair Rapozo: It looks like it is 6,500, maybe? And then in 2015, I am guessing it is about...I do not know, 5,200, maybe? I am just eyeballing the charts.

Mr. Kollar: Yes.

Council Chair Rapozo: Okay. Thank you.

Committee Chair Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: Staying on that chart, I am trying to figure out which type of crimes have been diminished although let us have a caveat that charges do not necessarily mean...do not necessarily correlate with crimes committed.

Mr. Kollar: Yes, I understand what you are saying and I concur.

Councilmember Yukimura: So it looks like traffic citations have gone down a lot. These bar charts are hard when they are not colored and we have black-and-white. So an asset forfeiture and traffic felonies, are the ones that have kind of going down.

Mr. Kollar: Yes. We have been...the count on traffic citations has definitely decreased fairly significantly. And we are starting to see decreases in the traffic felony cases, which I would like to attribute to strong enforcement of those cases. Last year and knock on wood, was by far, by far the lowest number of fatalities and serious injuries on our roadways that we have had in many years and also see a decline in DUI arrests. I think that might be partially attributable to the fact those cases are so paperwork-intensive and miserable to deal with on the courts, that sometimes there is reluctance on the cases.

Councilmember Yukimura: Nationally I think there has been a drop in crime rates over the last decade and if that is actually happening, I think we should all celebrate. I would ask for next year, if you could just write out...I mean I know DV is domestic violence, but I am not sure what MD or PMD is.

Mr. Kollar: I am trying to make everything fit on the graph, but the question is if we can be more creative.

Council Chair Rapozo: On the conviction rates is it possible with your new system to break down conviction rates whether or not plead as or plead down B to C and C to misdemeanor? Misdemeanor to petty misdemeanor?

Mr. Kollar: To do it in that level of detail, we would probably have to ask the vendor to build into the system. We have the information available. We could do that. I cannot tell you how long it would take. I can tell you it would take longer than two (2) days. But I mean, it could take...I would say probably 4-6 weeks to have somebody go through all the data.

Council Chair Rapozo: You would not be able to tell me if I asked you how many were pled down to misdemeanors or how many pled down to petty misdemeanors, you do not have that readily available?

Mr. Kollar: That is not a statistic readily available. If that is something that we are interested in talking about, we can build that into the system.

Council Chair Rapozo: I would think it is, in my opinion. I do not know, I think that is pretty important to know what cases are being charged? What is being charged? If they are being pled-down? We have read a lot lately, about a lot of cases being pled-down and I understand there are many reasons for that, but that is probably a good performance measure to monitor. Whether or not these people are convicted for the crimes that they committed? And I am not sure what that would entail? I know I did send over a request, but I got back a very...it was a very general response. So I do not know what that would entail, but I think for me anyway, that is pretty important for me to see what are we doing in court? How are we doing in court? And how many cases are going to trail?

Mr. Kollar: We are constantly working with the vendor to address new reports. That is something that we can certainly do.

Council Chair Rapozo: So your system does not do that right now?

Mr. Kollar: Right now, it is not something that is easily trackable.

Council Chair Rapozo: Your individual attorneys won't have that?

Mr. Kollar: No, we would have to do a manual review of the cases to say as charged, lesser, that kind of thing?

Council Chair Rapozo: I would suggest that we get that data. Because I think it is important. It is for me, anyway.

Committee Chair Kaneshiro: Councilmember Hooser.

Councilmember Hooser: Along the same tracks, good afternoon. Now that it is afternoon.

Mr. Kollar: Yes, good afternoon.

Councilmember Hooser: Yes. As I am listening to the discussion, it would seem there would be some best practices, some uniform reporting that nationally different prosecuting offices would compare apples-to-apples. I would think that our system would be fairly standardized with most, if not whatever best practices says? If you could speak to that?

Mr. Kollar: Yes, the problem with Hawai'i is that Hawai'i tracks its criminal justice data differently from the other 49 states. The other 49 states have uniform crime reports and uniform ways of booking defendants and much better sharing information across counties. Here, we have the green box, when somebody is booked, that is basically the computer that they are booked on. It is a piece of software that is essentially about 30 years old. And every single charge gets its own separate report number. That is not how they do it every other place. So it creates data-tracking issues in Hawai'i that we cannot apply other people's systems to our information basically.

Councilmember Hooser: We can apply to other counties within Hawai'i?

Mr. Kollar: We can apply to other counties if we can get the counties to generate the data and information and share the information and data and do that, but right now we still have criminal justice agencies in the State that do not uniformly track...they do not have uniform ways of tracking their data. We do not have a State Police force in. We have the DLNR and State Sheriffs and the county police departments and individual county prosecutors, and everybody does things a little bit differently. There have been efforts in recent years with HIJIS and the Criminal Justice Data Center to standardize these types of things. So when we want to check a firearm registration, we can look at the computer rather than picking up the phone and asking Hilo. We have been working on those kinds of things, but the Criminal Justice Data Center has had abysmal turnover issues and have not been able to get the ball rolling on a lot of different initiatives that they talk about, that would help address the things that you are referencing.

Councilmember Hooser: Thank you. So I understand it sounds like there are different systems all over.

Mr. Kollar: Or no system.

Councilmember Hooser: But is there a standard practice, for example, among the various systems to include the type of data that the Chair was requesting? The pled-down data? Is that something that most other places offer?

Mr. Kollar: When we got our system, it had all the same systems and reports that Maui had and those types of reports are not something that they evidently track over there. So I do not know. Hilo does not have a case tracking system. Honolulu uses a Karpel system that they have had a lot of problems with. So I do not know whether their system tracks that. I know our system can track that. We can go in and ask the vendor to construct a report that will...the data is in the system. We would need to build a report to pull it out and look at it and vet it and make sure it is working correctly. It is something that we can do and something I have instructed my Administrative Officer to address. It is just a question of time and hopefully not money. Hopefully it is something they are willing to work with us on. It can be done. The information is there and we just have to arrange it into the right format and get it out.

Councilmember Hooser: Thank you very much.

Committee Chair Kaneshiro: Council Chair Rapozo.

Council Chair Rapozo: I guess for me, I am not really interested in what Maui or Honolulu...I do not really care about their data. It is a great read for a Sunday afternoon, but as a legislator trying to decide whether \$80,000 a year for maintaining a system is worth the money, if I cannot get...because I do not know how...you do not believe that is important?

Mr. Kollar: I did not say that. I think that it is information that is not particularly at the top of my list of things that are important for me to be aware of, but if the Council feels it is important, then what the Council thinks is important is what I think is important and I am happy to generate that data, but I just got to work with the vendor to get the capability to do that.

Council Chair Rapozo: I guess I compare that to our staff here and we do not have any "fancy dancy" computer programs. We do not have \$80,000 a year programs, but we use Excel. We use...on any day, I can ask this staff to go up and search me something and within minutes I will get it. That is the frustration. If I look at your chart on page 21...performance measures...cases closed by type and right now if I looked at felonies, and it says in 2015 we had 472 cases closed. Will I be able to tell if those cases were as charged or not as charged or if I look at the misdemeanors, and it says 479, is there any way in your system, where I can determine whether or not how many of those 479 misdemeanor closed, were originally felonies?

Mr. Kollar: Yes, that information is in there and right now to assemble into a report to do an automatic report on that, we would just have to work with the vendor to build that report. We are willing to do that.

Council Chair Rapozo: That is going to cost us more money?

Mr. Kollar: We do not know that. We can work with them and try to not have that happen.

Council Chair Rapozo: Okay. Thank you.

Committee Chair Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: I am concerned that you said that the Drug Court numbers have gone down due to lack of staffing.

Mr. Kollar: Yes.

Councilmember Yukimura: That is not something your Office funds, right?

Mr. Kollar: Correct.

Councilmember Yukimura: But it is a highly-successful program, is it not?

Mr. Kollar: Absolutely and we support it 110%.

Councilmember Yukimura: Do you know though why the funding is going down?

Mr. Kollar: Well, I do not think it is a funding issue, as much as a staffing issue. I think they have had some challenges.

Councilmember Yukimura: Keeping staff?

Mr. Kollar: Over the past year.

Councilmember Yukimura: I see.

Mr. Kollar: Which when I asked them why we have a wait-list, they attributed to those types of thing.

Councilmember Yukimura: Wait-list to get into court?

Mr. Kollar: Yes.

Councilmember Yukimura: That is unfortunate. You have performance measures ensuring safer communities and reduce crime and reduce fear of crime...there is no way I can read this report that is in your slide.

Mr. Kollar: We provided a link to the entire report. So you could read it as a PDF.

Councilmember Yukimura: Okay. What does it say essentially?

Mr. Kollar: Basically talking about how one prong of the performance measures that the NDAA looked at is reduced crime, reduced fear of crime and if you look at the grid in the matrix, it is too small for me to look at too. It has the type of criteria that they look at in assessing that factor.

Councilmember Yukimura: Okay because I have been reading this book "Systems Thinking for Social Change" they say when they studied nationally the fear of crime was going up tremendously while the number of crimes were dropping.

Mr. Kollar: I think that is discussed in the NDAA report as well and the psychological sense of where crime is at is not always lining up where the numbers are at. Because over the years we have seen a drastic reduction in violent crimes, in stranger-on-stranger persons crimes and that has not correlated with a drop in fear of

crime in community. That is why they look at it as two separate measures as a matter of fact.

Councilmember Yukimura: That may be because of the rhetoric of political leaders. Thank you.

Committee Chair Kaneshiro: We are going come up to lunch. Do we have any more financial questions on the budget? Councilmember Kualii. I guess for me in the future, with future budget presentations, the performance measures are good, but I think your summary of the budget on one of the very last slides was probably what we are most interested in. And if there is ever a time you want go through the performance measures or what the staff has done, that might be better suited during a regular Council Meeting.

Mr. Kollar: Sure.

Committee Chair Kaneshiro: As more update and information. It will generate questions, but not necessarily focused towards the budget. Councilmember Kualii.

Councilmember Kualii: So I do not see this in my notes, and on the most recent vacancy review from Human Resources, it does not show any vacancies. Did you say E-88, the Deputy Prosecuting Attorney that is dollar-funded, but funded Federally, is it currently occupied or vacant?

Mr. Kollar: Occupied.

Councilmember Kualii: It is occupied. And then the Process Server 9102, that was vacant effective November 14, 2015. Is that currently occupied or vacant?

Mr. Kollar: Occupied.

Councilmember Kualii: My last question on these positions and I do not see this in the list of positions or numbers. I see 9112, Legal Clerk I. But I do not see 9111 and 9113 Special Investigators. For some reason on the budget line items...

Mr. Kollar: They are on the following page.

Councilmember Kualii: Page 35?

Committee Chair Kaneshiro: Page 36, at the top.

Councilmember Kualii: Okay. Why were those moved from Regular Salaries to Wages and Hourly Pay? And what is the difference?

Ms. Olivas: The positions were moved because they are both part-time positions and they get paid hourly.

Councilmember Kualii: Okay. So both part-time, paid hourly. Thank you.

Committee Chair Kaneshiro: Council Chair Rapozo.

Council Chair Rapozo: It is involving the courthouse assistance dog and you said no cost involved with that?

Mr. Kollar: The only costs that the County would bear would be the \$500 cost of applying to the program, and then paying for training for the handler. The other costs are handled by the handler.

Council Chair Rapozo: Where are the training costs for the handler in the budget?

Mr. Kollar: That is being undertaken in the current fiscal year with existing funds. That is not something... it is not an annual thing. It is a one-time thing happening inside the current fiscal year.

Council Chair Rapozo: It is not in the current budget though?

Mr. Kollar: We have training funds.

Council Chair Rapozo: When we heard the presentation that was the first time I heard about the dog.

Mr. Kollar: It is something within the current fiscal year.

Council Chair Rapozo: The handler is an attorney?

Mr. Kollar: The primary handler is a Deputy Prosecuting Attorney. There are secondary handlers that are Victim Witness staff.

Council Chair Rapozo: These dogs, are they not trained with only one handler? Are they trained like a police dog, or drug dog?

Mr. Kollar: A little different. They are trained to have primary handler and then secondary handlers to assist.

Council Chair Rapozo: Can the dog work with the secondary handler at any time?

Mr. Kollar: Correct.

Council Chair Rapozo: And what is the estimated costs? The annual costs for that program? Does the handler get extra money like the police does?

Mr. Kollar: No. That is it.

Council Chair Rapozo: Is it a volunteer thing? We pay for food and vet?

Mr. Kollar: No.

Council Chair Rapozo: We pay for nothing?

Mr. Kollar: We just pay for the one-time training.

Council Chair Rapozo: Okay, thank you.

Committee Chair Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: I would just like to request that on your performance measures, if we could see line graphs rather than bar graphs, that might help us see things more distinctly.

Mr. Kollar: That is the first year we have included those so we are happy to get that feedback.

Councilmember Yukimura: I appreciate your effort to distill...I am thinking a few performance measures, and then see the connection between your goals, that would be great.

Mr. Kollar: Great.

Councilmember Yukimura: Thank you.

Committee Chair Kaneshiro: Any follow-up...any further questions?

Council Chair Rapozo: I have a question.

Committee Chair Kaneshiro: Council Chair.

Council Chair Rapozo: Out of curiosity, the telephonic warrant process that you folks have done this this year is a great thing. It is just an awesome tool. How many times have we used that and what kind of success? Have we gone to court with telephonic warrant?

Mr. Kollar: Those cases are just getting to court now. It has been within the last two months that they have really used it. I think they have obtained 4-6 warrants.

Council Chair Rapozo: It has not been tested in court?

Mr. Kollar: It has not been tested yet, I am sure it will be.

Council Chair Rapozo: I am sure it will be, too. It is a tool used throughout the country.

Mr. Kollar: And Hawai'i was late to the game on it.

Council Chair Rapozo: I am just going really quickly go through these... the one McNeely issue we read about in the paper, did that result in dismissals on Kaua'i?

Mr. Kollar: It resulted in somewhere between 12-15 cases being dismissed. Petty misdemeanor DUI cases.

Council Chair Rapozo: Were those recharged again?

Mr. Kollar: The cases were only dismissed if there were not other factors in the case, that we could charge as basically a facts case. If the guy smelled like beer and was stumbling all over place, we would proceed on that theory, but if it was a case that was straight breath or blood and there was no other evidence, those are the cases that we would have to dump. It was about 12-15 cases.

Council Chair Rapozo: Not that big of an impact...

Mr. Kollar: It did not impact us nearly the way it impacted Honolulu. I think for them it was thousands.

Committee Chair Kaneshiro: Follow-up, Councilmember Yukimura?

Councilmember Yukimura: Do you have an indication of the DUI-related offenses? And whether they are going up or down?

Mr. Kollar: I think drunk-driving is prevalent on the island. I do not think fewer people are driving drunk. I think the courts have made it so difficult to enforce those cases that some in law enforcement are reluctant to do enforcement on those cases and I do not say that as a dig on them, but just the reality of OVUII prosecutions. The numbers of arrests are declining.

Councilmember Yukimura: We are not tracking DUI offenses as a category?

Mr. Kollar: We do, and I included that data in most of the graphs.

Councilmember Yukimura: I would like to see that separated out. So we can see...I guess you know the stages would be arrests, charges, convictions.

Mr. Kollar: Sure.

Councilmember Yukimura: And accidents related to DUIs, which is not something in your *kuleana*, but is still a measure of effective enforcement. That would all be really great. I have been harping on our Life's Choices Coordinator to look at statistics, and they may be actually having a really good impact.

Mr. Kollar: We do have access to fairly good data on that. If you want to send us a request, we can definitely respond to that.

Committee Chair Kaneshiro: Council Chair Rapozo.

Council Chair Rapozo: I have this in my notes when I had met with the Police Chief and he shared with me numbers on DUIs and his numbers are showing that DUI arrests are going up. He is showing that in 2015 there were 261 over 253 in 2014. I mean, I am not sure if all the DUI cases are coming across to your Office?

Mr. Kollar: I do not know. I will have to check on that.

Council Chair Rapozo: Do you have the numbers down here?

Mr. Kollar: I think they are in there, yes. If you would like us to break that out and submit it separately, we can do that.

Council Chair Rapozo: Yes. Because I do not think the DUI arrests are going down. I do not know where it is broken down...do you have your conviction rates? You are saying that you believe DUI arrests have gone down?

Mr. Kollar: I believe they have, but I can break out those numbers for you.

Council Chair Rapozo: I was just looking at the numbers that I got from KPD, and it actually is going up.

Mr. Kollar: Sure. Some of those may not have come to us. I am not sure.

Council Chair Rapozo: Okay. Now you mentioned earlier that \$80,000 a year that we pay for the CMS, or whatever we call it, is tied in with KPD?

Mr. Kollar: The system is designed to be compatible once they get a system...they are in the process of transitioning to a new system and now we are waiting for that.

Council Chair Rapozo: So we are not in sync with them now?

Mr. Kollar: Our systems do not talk to their systems and that is a big problem.

Council Chair Rapozo: Are they working on that on their end?

Mr. Kollar: They are transitioning to procure a new records management system that should be, if I am not mistaken is the same parent company of our system.

Council Chair Rapozo: Pardon?

Mr. Kollar: Distant relatives, I would call them, they are not aligned as companies...they have worked a lot in the past as different organizations.

Council Chair Rapozo: And they are not going come with \$80,000 price tag a year?

Mr. Kollar: I would think it is more...I cannot say what their system is going to cost.

Council Chair Rapozo: I thought you said earlier, I guess I misunderstood.

Mr. Kollar: It has the capability to be compatible with their system, but we are not going to spend the money tying it into the current system if that system is on its way out.

Council Chair Rapozo: Understood.

Committee Chair Kaneshiro: Councilmember Kualii.

Councilmember Kualii: In our budget appropriations transfer report that staff did for us, based on the activity throughout the year, there was a transfer, a budget appropriation transfer March 8th for from regular salaries line item to equipment and funds cover the official office build-out of office furniture for clerks and cover the contract shortfall for Justware software and projected it will not affect the rest of the fiscal year. I thought I heard earlier from Finance that transfers from salary line items to outside of salary or benefit-related categories are frowned upon, but I guess it is still allowed? Was there any kind of special approval for that? Was that just a regular transfer request that was approved?

Ms. Olivas: Right, we just did the regular process.

Councilmember Kualii: And that covers it, you will not be requesting any more transfers for that item?

Ms. Olivas: Yes.

Councilmember Kualii: Thank you.

Committee Chair Kaneshiro: Any last questions before we take lunch?

Council Chair Rapozo: Just one last one. I promise it is the last one. The County Attorney as well has really taken advantage of the training opportunities for the deputies and I see that you have too. What is missing on yours is any training...have you attended any trainings?

Mr. Kollar: Yes, several. I can provide that to you as well.

Council Chair Rapozo: Please do because yours is the only one missing. You have everybody else and I highly encourage the training, because I think it is definitely beneficial to everyone.

Mr. Kollar: We can get that to you.

Council Chair Rapozo: Thank you.

Committee Chair Kaneshiro: With that, I think you answered most of our financial questions. If we have other questions, we can obviously E-mail them over, or if the need is to have them present it, we will do it in a Council Meeting. So I think you guys are done. Thanks. So the plan is to take lunch. We will be back in an hour and when we come back, we will take Elderly Affairs.

There being no objections the Committee recessed at 12:28 p.m.

The Committee was called back to order at 1:30 p.m. and proceeded as follows:

Committee Chair Kaneshiro: Welcome back. And next up we have the Agency on Elderly Affairs. We will do a brief presentation on it and open up for questions.

LUDVINA K. TAKAHASHI, Executive on Aging: Good afternoon. My name is Kealoha Takahashi, the Executive on Aging and thank you for the opportunity to present to Council the Agency on the Elderly Affairs 2017 budget presentation. I will keep it as brief as possible, but there are some important points that I wanted to make especially this year as 2016 marks the 50th anniversary of the Agency on Elderly Affairs. In 1961 the first White House Conference on Aging was held, bringing together key community leaders to assess and discuss the needs of the elderly in the community. It was agreed that the major thrust from that point was the need for Federal legislation to adopt a plan that would establish the direct planning and coordination of services for the elderly in the United States. Four years later, the Older Americans Act of 1965 was established, to initiate research and training that would help to develop needed social service programs for the target population of the elderly, 60 years and older. Ms. Margaret Peggy Faye was pointed as the first Director of the Committee on Aging, in February of 1966. Thank you, Scott. And in 1966 also marked the start of the information and referral service component, which started with four aides that were hired. In 1969, the Administration on Aging amendments to the Older Americans Act directed statewide planning for the elderly services and

designated that the Kaua'i Committee on Aging would then become an area Agency on Aging. The second White House Conference on Aging in 1971 established a need to develop a nutrition program for the nation's elderly. Ms. Eleanor or Ellie Lloyd was hired as the Executive on Aging in March 1972. Ellie was instrumental in securing funds from action to develop the Retired Senior Volunteer Program known today as Kaua'i RSVP. Staff was hired in February of 1973 to implement the program. The period of 1961 to 1972 served as the developmental years laying the foundation and groundwork for the future activities to come. During the years that followed, efforts were concentrated in identifying unmet needs of the elderly, expanding programs and initiating new services to meet identified needs such as adult daycare, case management, the wellness promotion, known today as our Healthy Aging Project, personal care, and Alzheimer's. From 1973 to 1987 it served as the building years, working on the overall structure of the programs, building and continuing to develop the expanded services. So in 2003, our name changed from "Office of Elderly Affairs," to the Agency on Elderly Affairs. And in June of that year I served as the Executive on Aging. It is important that we take a step back into the past, which has defined our present. And I quote from a report that was written, "The new thrust and initiative for the 1987-88 fiscal year is to develop the Office of Elderly Affairs into the central information dissemination center." Let me repeat, it says into that central information dissemination center for the elderly and focus on increased public relations and outreach to educate the community, seniors, and their families, about the services that are available for Kaua'i's elderly. That was 29 years ago. Today, 2016, the Agency on Elderly Affairs is the area agency on aging and also the aging and disability resource center or back then, they were thinking of the central information dissemination center. It gave me chicken-skin to read that and know that presently we have accomplished that goal.

So here I have listed our...it is my presentation our mission, vision and really, truly, our vision is to see the people of Kaua'i will live well, and age well. Rather than review my 2017 budget presentation you have before you, I want to highlight those eight items you requested regarding operating budget discussion and I have prepared a PowerPoint presentation to address those eight items. And to benefit those who are watching, they may also follow along.

So item number one, a request for a list of changes to any existing positions. And currently we are looking at reallocating position 139, and 149, our Community Service Worker from an SR-9 rating that is \$27,768 annually to an SR-11 or \$31,428 annually.

Item number two is a list of vacant civil service positions. We have three and those are positions 135, Program Specialist II, and that is dollar-funded and was vacant from December 31 of 2014. The next position is 141, Community Service Worker, SR-9. Currently we are in the recruiting process and this position was vacant from October 28, 2015. And the last position is 146 Program Specialist, this is the RSVP Director. It has been submitted for recruiting...for recruitment and vacant from January 16 of this year.

Item number three, positions funded by Federal grants, namely our grants are from the Administration for Community Living or the Administration on Aging. We have five

listed positions. And they are...as you see before you, and the funding period is from October 1, 2015 to September 30, 2019. And this correlates to our area plan that was submitted to the State. The next item...okay. These are positions that are funded by other Federal grants namely the Corporation for National and Community Service. This is our RSVP Director, and the Program Support Technician. The RSVP grant funding period from April 1, 2015 to March 30, 2018. The last grant is our State grant. This includes 9557 Program Specialist to basically case manager. Funding period is for the fiscal biennium from July 1, 2015 to June 30, 2017.

Item number four is our organizational chart. And so for those vacancies, if you look at the grants management in the second column. Position 135 is vacant, dollar-funded. And then you move over to the ADRC/information referral, all the way down in the center where we have community service worker. We have just one that is vacant. We recently hired, and she started...the worker started April 1st. Then you go over to Volunteer Development Program Specialist II. That is vacant.

For item number five, Fiscal Year 2015-2016 goals and objectives. This is what I reported last year in my budget presentation. So I will just go over some of where we are currently, and the completion. If you look at the middle column for goal number one, and our first objective we had 3,157 visits to our website kauaiadrc.org and along with that we received 2,943 phone calls that is an average of 327. We achieved 98% completion with 5,919 contacts. And this is provided by our information referral. We also completed a State consolidation of our client database. We do face ongoing challenges for each county to establish common procedures in collecting the same data statewide. We do have ongoing desktop monitoring with our providers and we do schedule annual site visits. We have 77% completion or with 616 older adults receiving combination of one or more of the following: personal care, homemaker, home-delivered meals, adult daycare, case management, congregate and *Kupuna* Care transportation. We have had challenges, especially this year with the shortage of workers in the home health industry. Going on to the next goal. We provided 185 caregivers services including: counseling, support groups, training, and respite. Continuing on, we served...there are 196 elders that participate in Enhance Fitness classes. We have nine Enhance Fitness classes and they are maintained at the Kekaha Neighborhood Center, Waimea Neighborhood Center, Hanapēpē Neighborhood Center, Kōloa Neighborhood Center, and in Līhu'e we have three (3) classes, and Kapa'a United Church of Christ hosts the Kapa'a class, and Kilauea Neighborhood Center. We have six regular instructors and 12 substitutes. And we have 401 active volunteers that have provided 28,472 hours of service for the contract period of April 1st, 2015, to March 31, 2016. Out of the people that we served, who are receiving personal care, homemaker... let me go back, 616...the 616 older adults, out of the 616, 96 of the elders we have, continued to live at home and that is the whole purpose of us providing home-based community service that they age in place at home and that the services are brought in. We have several surveys that were mailed out. Information referral. Mailed out 56 surveys, 25 responded. And 76% indicated that they learned about options and choices of support and services available. 80% indicated with the information received, they were able to make better decisions. 80% indicated that services received are helping them to remain at home and live independently. Case management, sent out 96 surveys and received 44 responses. 100%

agreed it they received helpful information and learned about the choices of support and services available and 93% agreed that a plan was developed on what to do next. Enhance Fitness surveys are completed as fitness checks are done with each of the participants and this is for the period of January 1, 2015 to December 31, 2015. 40 evaluations were received. 70% indicated that they are very satisfied with Enhance Fitness. 65% would recommend this class to others. For RSVP, 140 volunteers of 350 responded. 92% indicated that they are satisfied with their assignments. 91% would recommend RSVP to others. Primary reason for volunteering is to "fill a need to help others." We have a great set of volunteers. And the last goal is to ensure the rights of older people. There is a 59% completion, with 239 elders receiving legal assistance services. An educational workshop was held for Na Keiki Aloha 'O 'Ohana Conference and this is our *'ohana* caregivers or grandparents raising children. And another Elder Law Fair was held as well.

Going on to our next budget item was for Fiscal Year 2016. These goals and objectives relate to our 4-year area plan. And also stated in our 4-year area plan we do have outcomes and measures that we need to be sure that we accomplish. And so you have it before you. So I will just go through it. 350 older adults would be engaged in volunteer opportunities, and they will offer 7 Better Choices, Better Health programs. This is our chronic and diseased self-management program, and diabetes self-management program. The way how we leverage funding to increase the current number of Enhance Fitness. What we are saying that annually to enroll at least 5% new people into the program. Explore the development of a coalition of transit service providers. We saw a need for transportation as high. It is always a high need when we do our area plan and as we communicate with our community, and so we want to see how we can bring in partners, or form a coalition that would at least try to fill the gap areas. We are also looking to explore in our referral system to establish access to in-home mental health services; that is another need we found. And then to advocate or support increased pedestrian safety. And just as we were walking over here, to remind staff there is an area that is for pedestrian safety. Just got to abide by that and to update our memorandum of understanding with our partners in the community. Goal three is to support the State's efforts to integrate the model of statewide ADRC system by 2018 and update our resource database on the Kaua'i ADRC website. And we just completed and have updated our resource database, and we are in the process of putting that online, and completing a directory. The ADRC system is the centralized system as was expressed earlier where everybody can come as a one-stop shop for information referral for their needs. Ongoing implementation improvements of options, counseling services, and person-centered planning. And this has to do with us when we do an assessment with an individual, that their preferences or needs are supported. It is not what we feel they should need, but what they indicate to us that that is what they want. And so it is in our practice as we do our assessments, that we also write out a support plan. And also with that comes training for staff; that they are continually aware of the process. Goal number four. This is one of our objectives again to increase the number of identified older adults, and people with disabilities. 15% were saying with the increase of our population here on Kaua'i at 71,000, you are looking at 17,000 roughly that are older adults, 60 and older. And so what we are saying we would like to identify additional 600 annually. And then another objective is to establish a pool of vendors, with a person-centered options counseling service. We also need to provide a way that our elders

may choose who they want to come into their home to provide that services. So we are working on that. It is a work in progress. Also, to develop and distribute quality of in-home services survey. The continuation of our survey is seeing how we are serving and if it is meeting the needs of our participants, our elders. We would like to expand educational opportunities for Kaua'i's older adults and provide mini educational workshops throughout the community. We would also like to establish an accessible emergency safe haven for vulnerable adults and this is particularly where we come across abusive situations where we need to remove the elder from the home and house them temporarily until other services can be provided. We have annual updates of individual emergency disaster plans and that comes along with our assessments that we complete. And also, I believe Fire explained or introduced the home modification program of fall-prevention and we are collaborating with them to implement. We are targeting specifically 85 and older. They are very vulnerable. So we will and we are in the process of putting together a listing of seniors, not only the 85 years old, but also those who are 65 and meet the qualifications.

So the next item was succession planning. One impending retirement is our Program Specialist II that is limited term position 148. And describe training plans for this position. We do have annual...we attend national conferences. We also log-on to training webinars that are available. We have what we call the certified information referral system aging and disabilities certification training and this is nationwide. And among the professional staff, we do coordinate program events, and help each other doing that. We hold monthly in-service training and staff meetings. And the last item of the discussion was the three-year actual expenditures and Fiscal Year 2016-2017 proposed budget by cost account. I have a picture of that. That is basically my presentation.

Committee Chair Kaneshiro: Thank you.

Ms. Takahashi: If you have questions?

Committee Chair Kaneshiro: Any questions from the Members? No questions?
No. Councilmember Yukimura.

Councilmember Yukimura: Kealooha, I invariably am so thankful for the
Agency on Elderly Affairs and very well-organized and well-presented budget presentation.

Ms. Takahashi: Thank you.

Councilmember Yukimura: No, thank you. And I do not know if it is because
you folks are required to, and trained to do the kind of planning that you do.

Ms. Takahashi: We are.

Councilmember Yukimura: Yes, and I think it is so helpful to is your goal
and objectives state both in terms of your accomplishments and your projected actions for
the next year. So I just want to thank you for that. I wish every department could do what
you do here. My question is for your...it is slide 35 for Fiscal Year 2017 goals and

objectives. Goal five. Optimize the health, safety, and independence of Hawai'i's older adults and to establish emergency safe havens objective. Is this becoming more and more of an issue for your office?

Ms. Takahashi: Well, we have experienced two cases.

Councilmember Yukimura: This year? Or forever?

Ms. Takahashi: Well, from 2015 to now. Last year. Two cases. One we had to remove from the home. And there really was not any place...let me see...

Councilmember Yukimura: No place to go to?

Ms. Takahashi: What happened is that we put him up at Hale Nani Hotel, but as far as accommodations it is not very suitable for clients especially in wheelchairs or who have issues with mobility. That was one client. The second one came from Las Vegas. He wanted to move back here. He has been here before. He was in a power wheelchair and he stayed at the airport for the night. The police...I got called in by the police to assist. So we helped him at Tip-Top and because of his power wheelchair, that was not really accessible to him and the bathroom facilities were not as well. Luckily he could stand up from the power wheelchair, but he had during his stay here he had fallen several times. So it is those kinds of cases that we are looking to at least negotiate or have a plan in place, where we can find care facilities. They would have a vacant bed available at the time that we needed to have something in place, so that we can use that. It is only four or five days at the most.

Councilmember Yukimura: So are these abuse cases? Or are they cases where elderly, like that gentleman from Las Vegas, they are just coming here without plans for how they are going to live?

Ms. Takahashi: Yes. His was more self...

Councilmember Yukimura: Unable to manage himself?

Ms. Takahashi: Yes.

Councilmember Yukimura: And so this safe havens thing is not?

Ms. Takahashi: It is not ongoing, but as-needed and when the need arises, but to have something in place. So that least we will be able to assist. The State appropriated some funds, Elder Abuse funds, and that is where I am going put the money into making that.

Councilmember Yukimura: Is this a problem statewide?

Ms. Takahashi: I would think it is, but I have not heard from my other counterparts.

Councilmember Yukimura: Okay. So it is not necessarily elder abuse?

Ms. Takahashi: It is, because the first case was.

Councilmember Yukimura: Are you getting situations where the abuse exists, but it is not as...it does not necessitate removal from the home, but still remains a problem that has to be addressed?

Ms. Takahashi: I am sure there are, but I cannot give you how many.

Councilmember Yukimura: They are not coming forward? I am just trying to get a sense...if there are children?

Ms. Takahashi: If there are children or grandchildren, they are not going to come forward.

Councilmember Yukimura: I know. Thank you.

Ms. Takahashi: You are welcome.

Committee Chair Kaneshiro: Any other questions from the Members? I want to thank you for the presentation. I know basically you have salaries in your budget, and you did a good job of describing what was going on with the salaries. So that helps as far as us not having any questions. Any other questions? From the Members? Councilmember Yukimura?

Councilmember Yukimura: So your main moneys that are in this budget are the Enhance Fitness program at \$114,000.

Ms. Takahashi: That is correct.

Councilmember Yukimura: And your home and community-based services which is \$128,000.

Ms. Takahashi: That is correct.

Councilmember Yukimura: And the Enhance Fitness health program, I think you featured it in your narrative. But that is mainly your classes around the island.

Ms. Takahashi: Yes.

Councilmember Yukimura: And how many elderly does that program cover?

Ms. Takahashi: 196.

Councilmember Yukimura: 196 a year.

Ms. Takahashi: It fluctuates.

Councilmember Yukimura: Yes. Okay. And that was the one that came out of the Stanford program?

Ms. Takahashi: No, the Stanford program is the chronic disease self-management. The Enhance Fitness is from Senior Services. They are from Washington State.

Councilmember Yukimura: I see. Okay. Then I think your home and community-based services, which is I think a growing need. What is your number, the number that...tell us a little bit how you spend that money?

Ms. Takahashi: Right now it is going to meals, home-delivered meals.

Councilmember Yukimura: Those are the meals.

Ms. Takahashi: Yes. We have wanted to change that description in case we had other needs like personal care, homemaker, or adult daycare.

Councilmember Yukimura: Right.

Ms. Takahashi: That we would want to be able to shift if we had extras.

Councilmember Yukimura: There are private firms that provide that kind of home-care?

Ms. Takahashi: We contract out with a vendor to provide personal care, homemaker, and respite services.

Councilmember Yukimura: That is somebody can say "I need help" and you will contract a service for an individual elderly?

Ms. Takahashi: We already have a contract with a provider. So what happens, we would assess the client and see if they meet the *Kupuna* Care guidelines for eligibility and if they do, we would make a referral. Our case manager would go in and assess and do a care plan. Seeing exactly what their needs are. Determine if it is for two hours to go in and provide personal care bathing or clean their rooms and that plan is then referred to our vendor and they go in with the worker aide and provide those services. It is contractual.

Councilmember Yukimura: Is this for families that cannot afford contracting privately? Or do you just...no? You are not making referrals? Because you are actually using a contractor?

Ms. Takahashi: Yes.

Councilmember Yukimura: Who pays?

Ms. Takahashi: We do. We use State funding to pay for those services.

Councilmember Yukimura: What kind of budget do you have?

Ms. Takahashi: You have the integrated budget. I think it is appendix 2. I did not label it.

Councilmember Yukimura: Yes. The legal-sized sheet.

Ms. Takahashi: Yes. Looking at homemaker, column 7 homemaker is very tiny, sorry.

Councilmember Yukimura: I can see it.

Ms. Takahashi: And then you are looking at services \$33,000. 939. And then we have the same provider providing personal care. \$38,043.

Councilmember Yukimura: How many individuals is this for?

Ms. Takahashi: Right now we are serving for personal care, 16. And we have provided 1,306 units. One unit equals an hour. And homemaker, servicing 367 and providing 1,118 units.

Councilmember Yukimura: Those are good statistics. So you do this for anyone? Or for income-qualified?

Ms. Takahashi: It is not income-qualified. It is criteria that they need to meet. ADLs, frail elders that we serve.

Councilmember Yukimura: That is good to know.

Ms. Takahashi: I may want to mention that if they do receive Medicaid...they are not eligible for the program because of State dollars. So they need go with their provider, and their health insurance provider to provide those services. We find that we are really servicing those that are in the gap area, meaning they are not eligible to receive Medicaid and yet they are not making enough to pay on their own. So it is really that gap.

Councilmember Yukimura: You are saying that they are not able to pay on their own. So you are kind of income-based?

Ms. Takahashi: The priority would go to those that are low-income.

Councilmember Yukimura: I mean, I just am interested in this, because I think the need is growing, and so right now you have the budget. It is State moneys. And you are not, like, running out of moneys.

Ms. Takahashi: Right now, we are good. The Governor just released moneys with the grant that will help as well.

Councilmember Yukimura: So you have homemaker, personal care, those are the...yes. Okay. Thank you very much.

Committee Chair Kaneshiro: Councilmember Kualii.

Councilmember Kualii: I just wanted to ask, so you talked about you used the phrase "frail." But you are saying that the program would send somebody in their home to assess their needs. And so like the meal program, if they are home-bound and not able to go out and shop.

Ms. Takahashi: Yes.

Councilmember Kualii: So they may not...I mean it is needs-based and things that they cannot do for themselves that they need help with.

Ms. Takahashi: Yes.

Councilmember Kualii: So the word "frail" alone might just be too...too severe.

Ms. Takahashi: Yes and then we define what "frail" is. We have a guide, eligibility criteria that we follow. So "frail" is ADLs, activity or daily living, are they mobile? Can they drive or not? Are they really home-bound? Cannot get out? Can they provide their own meals? Some cannot. So we look at those.

Councilmember Kualii: I would imagine, like Councilmember Yukimura was saying, that the need is probably growing. And a lot of people maybe are not aware of the kind of help that they can get that they need. So we probably all need to do a better job of making people aware.

Committee Chair Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: So in terms of the moneys, you show total available balance for 2017 under "homemaker" \$33,900. And the column below that shows a total of \$91,000. It is under "other projected grant funding for Fiscal Year 2016." But you are moving the balance to 2017?

Ms. Takahashi: I will have our Accountant explain.

TERESA CAIRES, Accountant III: What is your question exactly?

Councilmember Yukimura: I was just curious how the bottom part of the sheet relates to the middle part. You see the first total is under "homemaker," \$33,900. And then if you go further down, it is \$91,000.

Ms. Caires: Yes. So the top portion are the funds that were available as of the date that I created the report, January 13th. And the funds indicated on the bottom, is what is expected within the next fiscal year.

Councilmember Yukimura: I see.

Ms. Caires: So you see to the left side it indicates estimate, expiration dates...that is when the funds would be expiring.

Councilmember Yukimura: I see. So is it basically saying you have \$91,000 for Fiscal Year 2017? Is the bottommost line, does that define the total?

Ms. Caires: Yes, that shows what we have coming up.

Councilmember Yukimura: For the Fiscal Year 2017?

Ms. Caires: Based upon the paperwork that I have, yes.

Councilmember Yukimura: All right. Thank you.

Committee Chair Kaneshiro: Councilmember Kualii.

Councilmember Kualii: When you use the word "expire," does that mean these are State funds that we have available, if we use it, we use it? And if not, we send it back to them? But then they re-budget us for the next year?

Ms. Caires: Yes.

Councilmember Kualii: How are we doing at using it?

Ms. Caires: We usually use up all the funds.

Councilmember Kualii: Do we have any kind of wait-list? For services like this to our seniors?

Ms. Takahashi: There is a wait-list for case management.

Councilmember Kualii: Case management in general. What about this home assessment thing? Case management would follow home assessment?

Ms. Takahashi: That is the home assessment.

Councilmember Kualii: Oh, it is.

Ms. Takahashi: Along with our Community Service Worker or the Program Assistant. They do the initial assessment. Where we receive a request. They go out and do a home one-on-one assessment and come back if there is a need to refer to the case manager, then they will do that. And she goes out and again and does another assessment.

Councilmember Kualii: Thank you.

Councilmember Yukimura: So you have a wait-list for case management how long is it? Is it something that you get through pretty quickly, or is it a problem?

Ms. Takahashi: That is a good question. Usually it would depend on when the request comes in and when the case manager can assign...make an appointment to visit the person, she may hit-and-miss. So you may be looking at a couple of weeks. After she goes in, then it is a matter of then hooking them up to the provider. For case management, we have only one (1) provider who does homemaker and personal care and as I indicated they do have a shortage of workers.

Councilmember Yukimura: Wow. So you have a contract with this contractor?

Ms. Takahashi: Yes.

Councilmember Yukimura: And how long is it for? Do you go out then?

Ms. Takahashi: Yes.

Councilmember Yukimura: You go out for with a request for proposal or for qualifications? How often do you do that?

Ms. Takahashi: Three.

Councilmember Yukimura: Every three years? Okay. Thank you.

Committee Chair Kaneshiro: Thank you. If there are no further questions, no further questions? Thank you again for the presentation. And at this time I would like to recess the Departmental Budget Reviews. We will reconvene 9:00 a.m. on Monday, April 11, 2016 where we will hear from the Planning Department, Transportation Agency, Housing Agency, and the Department of Liquor Control. Have a good weekend!

There being no objections, the Committee recessed at 2:13 p.m.